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Amir AJAMI  
MAGMA DESIGN AUTOMATION, INC.

E-filing

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CV 08

0816  
JW RS

Amir AJAMI; and  
MAGMA DESIGN AUTOMATION, INC.

Case No. \_\_\_\_\_

Plaintiffs,

v.

**Declaration of Beth  
Feinberg in Support of  
Petition for Writ of  
Mandamus**

Immigration Case, Administrative  
Procedure Act Case

Agency No.: A99 044 383

Michael CHERTOFF, in his Official Capacity,  
Secretary, U.S. Department of Homeland Security;  
Emilio T. GONZALEZ, in his official Capacity,  
Director, U.S. Citizenship and Immigration Services,  
U.S. Department of Homeland Security; Christina  
POULOS, in her Official Capacity, Acting Director,  
California Service Center, U.S. Citizenship and  
Immigration Services, U.S. Department of Homeland  
Security; Evelyn UPCHURCH, in her Official  
Capacity, Director, Texas Service Center, U.S.  
Citizenship and Immigration Services, U.S.  
Department of Homeland Security; Michael B.  
MUKASEY, in his Official Capacity, Attorney  
General, U.S. Department of Justice; and Robert S.  
MUELLER, III, in his Official Capacity, Director,  
Federal Bureau of Investigation

Defendants.

**DECLARATION OF BETH FEINBERG**

I, Beth Feinberg, hereby declare the following:

1. I am an Associate Attorney at Van Der Hout, Brigagliano and Nightingale, LLP, 180 Sutter Street, Fifth Floor, San Francisco, CA 94104. I have personal knowledge of the following information and the enclosed documents because Van Der Hout, Brigagliano & Nightingale, LLP represents Plaintiffs Amir Ajami ("Mr. Ajami") and Magma Design Automation, Inc. ("Magma") in their Petition for Writ of Mandamus. I make this declaration in support of Plaintiffs' Petition for Writ of Mandamus.

2. Mr. Ajami is a national and citizen of Iran. He earned a Ph.D. in Electrical Engineering from the University of Southern California in 2002, and has been lawfully employed as a Software Engineer at Magma since that same year. He currently has valid H-1B status until September 30, 2008. He has no record of criminal or immigration violations. A copy of Mr. Ajami's most recent H-1B approval notice is attached as Exhibit A.

3. Magma is a publicly-owned Software Company established in 1997 and headquartered in Santa Clara, California. Magma employs approximately 930 people worldwide.

4. On August 8, 2005, Magma filed an Immigrant Petition for Alien Worker (Form I-140) ("I-140 visa petition") on Mr. Ajami's behalf with the USCIS California Service Center, which classifies him as a member of the professions with an advanced degree, pursuant to 8 U.S.C. § 1153(b). That visa petition was supported by an approved Labor Certification for a Software Engineer that was originally filed for another foreign national, and for which Mr. Ajami was a substitute beneficiary. On August 8, 2005, Mr. Ajami also filed an Application to Adjust Status (Form I-485) ("AOS application"), an Application for Travel Document (Form I-131) ("I-131 travel document application"), and an Application for Employment Authorization (Form I-765) ("EAD application") with the USCIS California Service Center. On June 21, 2006, Mr. Ajami

1 completed biometrics in connection with his AOS application. A copy of the Receipt Notices for  
2 the I-140 visa petition, the AOS application, the I-131 travel document application, and the EAD  
3 application, as well as proof that biometrics were completed, are attached as Exhibit B.

4 5. On December 13, 2006, Mr. Ajami's AOS application was transferred to the USCIS  
5 Washington field office in Fairfax, Virginia. On December 28, 2006, Magma's I-140 visa  
6 petition and Mr. Ajami's I-131 travel document application and EAD application were transferred  
7 to the USCIS Texas Service Center. On January 5, 2007, USCIS notified Mr. Ajami that his  
8 AOS application had also been transferred to the USCIS Texas Service Center. As far as Magma  
9 and Mr. Ajami are aware, that visa petition and those applications remain unadjudicated at the  
10 USCIS Texas Service Center.  
11

12 6. On August 22, 2005, the Federal Bureau of Investigation ("FBI") received a name check  
13 request for Mr. Ajami from USCIS. On information and belief, the FBI has not yet processed  
14 that name check request. A letter from the FBI to Mr. Ajami stating that it received the name  
15 check request from USCIS on August 22, 2005 is attached as Exhibit C.  
16

17 7. On September 6, 2006, Magma filed a new Application for Labor Certification for a  
18 Software Systems Engineer for a higher level position under the Program Electronic Review  
19 Management ("PERM") system, which provided a new way to process labor certification  
20 applications that was more streamlined than the old system. Magma's PERM application was  
21 approved and certified on September 14, 2006. A copy of the approved Application for Labor  
22 Certification is attached as Exhibit D.  
23

24 8. On October 5, 2006, Magma and Mr. Ajami, through counsel, submitted a request to  
25 USCIS to withdraw Magma's previously-filed I-140 visa petition and Mr. Ajami's previously-  
26 filed AOS application, I-131 travel document application, and EAD application. Upon  
27  
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1 information and belief, that request still has not been processed and that petition and those  
2 applications remain unadjudicated at the USCIS Texas Service Center.

3 9. On October 12, 2006, Magma filed a new I-140 visa petition on behalf of Mr. Ajami  
4 with the USCIS Texas Service Center, along with a Request for Premium Processing Service  
5 (Form I-907) ("I-907 Request for Premium Processing"), and paid a \$1,000 fee for Premium  
6 Processing. On October 13, 2006, the USCIS Texas Service Center issued a Receipt Notice  
7 stating that Magma's I-140 visa petition had been "accepted as a Premium Processing case," and  
8 that Magma would receive a notice regarding its case within 15 days of the filing date (October  
9 12, 2006). Magma never received such a notice and never received a refund of its \$1,000  
10 Premium Processing fee. A copy of that Receipt Notice, that I-140 visa petition, and that I-907  
11 Request for Premium Processing is attached as Exhibit E.  
12

13 10. On November 29, 2006, Mr. Ajami filed an AOS application with the USCIS Nebraska  
14 Service Center (Receipt No. SRC-07-040-53996), which was subsequently transferred to the  
15 USCIS Texas Service Center. On December 19, 2006, Mr. Ajami completed biometrics in  
16 connection with his AOS application. That application remains unadjudicated at the USCIS  
17 Texas Service Center. A copy of that AOS application, proof of biometrics, and a copy of the  
18 USCIS case status search results for that application, confirming the receipt date and confirming  
19 that the application has still not been adjudicated, is attached as Exhibit F.  
20

21 11. On November 29, 2006, Mr. Ajami filed an I-131 travel document application with the  
22 USCIS Nebraska Service Center (Receipt No. SRC-07-040-54062), which was subsequently  
23 transferred to the USCIS Texas Service Center. That application remains unadjudicated at the  
24 USCIS Texas Service Center. A copy of that I-131 travel document application and a copy of the  
25 USCIS case status search results for that application, confirming the receipt date and confirming  
26 that the application has still not been adjudicated, is attached as Exhibit G.  
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1           12. On November 29, 2006, Mr. Ajami filed an EAD application with the Nebraska Service  
2 Center (Receipt No. SRC-07-040-54049), which was subsequently transferred to the USCIS  
3 Texas Service Center. That application remains adjudicated at the USCIS Texas Service  
4 Center. A copy of that EAD application and a copy of the USCIS case status search results for  
5 that application, confirming the receipt date and confirming that the application has still not been  
6 adjudicated, is attached as Exhibit H.

7  
8           13. On June 29, 2006, Mr. Ajami contacted the USCIS California Service Center via  
9 telephone to inquire about the status of his first AOS application, which he filed on August 8,  
10 2005. In a letter dated July 14, 2006, USCIS stated that Mr. Ajami's AOS application still had  
11 not been adjudicated because his case was still pending "background checks." A copy of USCIS'  
12 July 14, 2006 letter to Mr. Ajami is attached as Exhibit I.

13  
14           14. On October 3, 2006, Mr. Ajami again contacted the USCIS California Service Center  
15 via telephone to inquire about the status of his first AOS application. In a letter dated November  
16 7, 2006, USCIS stated that Mr. Ajami's AOS application still had not been adjudicated because  
17 his case was "pending for review and undergoing system checks." A copy of USCIS' July  
18 November 7, 2006 letter to Mr. Ajami is attached as Exhibit J.

19           15. On March 25, 2007, Mr. Ajami sent a letter to First Lady Laura Bush to inquire as to the  
20 status of his FBI name check. On May 8, 2007, the FBI responded to Mr. Ajami's letter, stating  
21 that it received USCIS' request to conduct a name check in Mr. Ajami's case on August 22, 2005,  
22 and that the name check was still pending (see ¶ 6, supra, stating that a copy of this FBI letter is  
23 attached as Exhibit C).

24  
25           16. On March 28, 2007, in response to Mr. Ajami's inquiry, United States Congress  
26 Member Anna G. Eshoo sent Mr. Ajami a letter stating that the FBI had notified her that Mr.  
27 Ajami's name check still had not been completed. A copy of that letter is attached as Exhibit K.  
28

1           17. On April 16, 2007, Mr. Ajami sent a letter to the USCIS Ombudsman regarding the long  
2 delay in adjudicating Magma's I-140 visa petition and Mr. Ajami's AOS application, I-131 travel  
3 document application, and EAD application. On August 3, 2007, USCIS sent a letter to Mr.  
4 Ajami, stating that the delay in processing the applications and visa petition was due to the fact  
5 that the background check had not yet been completed. A copy of USCIS' August 3, 2007 letter  
6 is attached as Exhibit L.  
7

8           18. On April 20, 2007, Mr. Ajami appeared in person at the USCIS office in San Jose to  
9 inquire as to the status of his applications and to request an interim EAD. At that appointment,  
10 Mr. Ajami was informed that USCIS would not issue an interim EAD to him and was told by a  
11 San Jose USCIS office to call the USCIS National Customer Service Center to inquire as to the  
12 status of his applications. A copy of Mr. Ajami's USCIS appointment confirmation for April 20,  
13 2007 is attached as Exhibit M.  
14

15           19. On May 7, 2007, Mr. Ajami called the USCIS National Customer Service Center to  
16 inquire as to the status of his applications. Mr. Ajami's call was transferred to the USCIS Texas  
17 Service Center, and he was informed that he would receive a response to his inquiry within 30  
18 days. In a letter dated May 25, 2007, USCIS stated that Mr. Ajami's AOS application had not yet  
19 been adjudicated because his case was still pending a "background investigation." A copy of  
20 USCIS' May 25, 2007 letter is attached as Exhibit N.  
21

22           20. On May 21, 2007, Mr. Ajami again appeared in person at the USCIS office in San Jose  
23 to inquire as to the status of his applications and to request an interim EAD. Mr. Ajami was  
24 again informed that USCIS would not issue an interim EAD to him and was again told to call the  
25 USCIS National Customer Service Center to inquire as to the status of his applications. A copy  
26 of Mr. Ajami's USCIS appointment confirmation for May 21, 2007 is attached as Exhibit O.  
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1           21. On June 10, 2007, United States Congress Member Anna G. Eshoo sent Mr. Ajami  
2 another letter, stating that, in response to her inquiry, the USCIS Texas Service Center notified  
3 her that Mr. Ajami's case was still pending security checks. A copy of that letter is attached as  
4 Exhibit P.

5           22. On June 15, 2007, Mr. Ajami sent a letter to Vice President Cheney, requesting the Vice  
6 President's assistance with Mr. Ajami's immigration case. In response to that letter, on July 17,  
7 2007, USCIS sent Mr. Ajami a letter stating that "the required background check on your  
8 applications has not been completed." A copy of USCIS' July 17, 2007 letter is attached as  
9 Exhibit Q.

10           23. On August 3, 2007, in response to his inquiry, Mr. Ajami received a letter from Morgan  
11 Galli, Constituent Services Representative for United States Senator Dianne Feinstein. In that  
12 letter, Morgan Galli stated: "The Federal Bureau of Investigation has told me that your name  
13 check has been pending since August 22, 2005." A copy of that letter is attached as Exhibit R.

14           24. The USCIS website shows that as of January 15, 2008, the Texas Service Center is  
15 currently processing I-140 visa petitions received on or before June 21, 2007, employment-based  
16 AOS applications received on or before May 24, 2007, I-131 travel document applications  
17 received on or before October 17, 2007 and EAD applications received on or before October 30,  
18 2007. A computer printout showing the USCIS Processing Dates is attached as Exhibit S.

19           25. In a memorandum dated August 15, 1997, the legacy Immigration and Naturalization  
20 Service ("INS") issued guidelines providing that an alien's I-131 travel document application  
21 shall be approved so long as the alien has a properly filed AOS application pending and is  
22 seeking to temporarily depart the United States for any legitimate business or personal reason. A  
23 copy of that August 15, 1997 memorandum issued by INS Executive Associate Commissioner  
24 Paul Virtue is attached as Exhibit T.

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2 I declare under penalty of perjury that the above information is true and correct to the best of my  
3 knowledge. Executed this 5th day of February, 2008 at San Francisco, California.  
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7 Beth Feinberg  
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RECEIPT NUMBER WAC-05-167-50514		CASE TYPE I129 PETITION FOR A NONIMMIGRANT WORKER
RECEIPT DATE May 27, 2005	PRIORITY DATE	PETITIONER MAGMA DESIGN AUTOMATION INC
NOTICE DATE October 1, 2005	PAGE 1 of 1	BENEFICIARY AJAMI, AMIR H.
LUCI VASQUEZ MAGMA DESIGN AUTOMATION INC RE: MAGMA DESIGN AUTOMATION INC 5460 BAYFRONT PLZ SANTA CLARA CA 95054		Notice Type: Approval Notice Class: H1B Valid from 10/01/2005 to 09/30/2008

The above petition and extension of stay have been approved. The status of the named foreign worker(s) in this classification is valid as indicated above. The foreign worker(s) can work for the petitioner, but only as detailed in the petition and for the period authorized. Any change in employment requires a new petition. Since this employment authorization stems from the filing of this petition, separate employment authorization documentation is not required. Please contact the IRS with any questions about tax withholding.

The petitioner should keep the upper portion of this notice. The lower portion should be given to the worker. He or she should keep the right part with his or her Form I-94, Arrival-Departure Record. This should be turned in with the I-94 when departing the U.S. The left part is for his or her records. A person granted an extension of stay who leaves the U.S. must normally obtain a new visa before returning. The left part can be used in applying for the new visa. If a visa is not required, he or she should present it, along with any other required documentation, when applying for reentry in this new classification at a port of entry or pre-flight inspection station. The petitioner may also file Form I-824, Application for Action on an Approved Application or Petition, with this office to request that we notify a consulate, port of entry, or pre-flight inspection office of this approval.

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111  
LAGUNA NIGUEL CA 92607-0111  
Customer Service Telephone: (800) 375-5283  
Form I797A (Rev. 09/07/93)N



PLEASE TEAR OFF FORM I-94 PRINTED BELOW, AND STAPLE TO ORIGINAL I-94 IF AVAILABLE.

Detach This Half for Personal Records

Receipt # WAC-05-167-50514

I-94# 166610483 06

NAME AJAMI, AMIR H.

CLASS H1B

VALID FROM 10/01/2005 UNTIL 09/30/2008

PETITIONER: MAGMA DESIGN AUTOMATION I  
5460 BAYFRONT PLZ  
SANTA CLARA CA 95054

166610483 06

Receipt Number WAC-05-167-50514

Immigration and  
Naturalization Service

I-94

Departure Record

Petitioner: MAGMA DESIGN

14 Family Name AJAMI		16 Date of Birth 07/27/1969
15 First (Given) Name AMIR		
17 Country of Citizenship IRAN		

EXHIBIT A

Department of Homeland Security  
U.S. Citizenship and Immigration Services

I-797C, Notice of Action

# UNITED STATES OF AMERICA

RECEIPT NUMBER WAC-05-224-50018		CASE TYPE I140 IMMIGRANT PETITION FOR ALIEN WORKER
RECEIVED DATE August 8, 2005	PRIORITY DATE	PETITIONER MAGMA DESIGN AUTOMATION INC.
NOTICE DATE August 12, 2005	PAGE 1 of 1	BENEFICIARY A099 044 383 AJAMI, AMIR H.
MONICA K. PATEL ATTORNEY AT LAW FRAGOMEN DEL REY, BERNSSEN & LOEWY L RE: MAGMA DESIGN AUTOMATION INC 2804 MISSION COLLEGE BLVD 2 FL SANTA CLARA CA 95054		Notice Type: Receipt Notice  Amount received: \$ 190.00 Section: Mem of Profession w/Adv Deg, or of Exceptn'l Ability Sec. 203(b) (2)

Receipt notice - If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at [uscis.gov](http://uscis.gov).
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you.
- If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

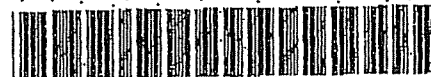
If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to [www.state.gov/travel](http://www.state.gov/travel) <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at [www.uscis.gov](http://www.uscis.gov) or contact us at 1-800-375-5283.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111  
LAGUNA NIGUEL CA 92607-0111  
Customer Service Telephone: (800) 375-5283



Department of Homeland Security  
U.S. Citizenship and Immigration Services

I-797C, Notice of Action

# UNITED STATES OF AMERICA

RECEIPT NUMBER WAC-05-224-50002		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS	
RECEIVED DATE August 8, 2005	PRIORITY DATE	APPLICANT A99-044 383 AJAMI, AMIR H.	
NOTICE DATE August 12, 2005	PAGE 1 of 1		
MONICA K. PATEL ATTORNEY AT LAW FRAGOMEN DEL REY BERNSEN & LOEWY L. RE: AMIR HOOSHANG AJAMI 2804 MISSION COLLEGE BLVD 2 FL SANTA CLARA CA 95054		Notice Type: Receipt Notice  Amount received: \$ 385.00  Section: Other basis for adjustment	

Receipt notice - If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at [uscis.gov](http://uscis.gov).
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you.
- If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to [www.state.gov/travel](http://www.state.gov/travel) <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at [www.uscis.gov](http://www.uscis.gov) or contact us at 1-800-375-5283.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC.  
CALIFORNIA SERVICE CENTER  
P.O. BOX 30111  
LAGUNA NIGUEL CA 92607-0111  
Customer Service Telephone: (800) 375-5283





Department of Homeland Security  
U.S. Citizenship and Immigration Services

I-797C, Notice of Action

<b>UNITED STATES OF AMERICA</b>		<b>CASE TYPE I131</b>	
<b>RECEIPT NUMBER</b> WAC-05-224-50008		<b>APPLICATION FOR INS TRAVEL DOCUMENT</b>	
<b>RECEIVED DATE</b> August 8, 2005	<b>PRIORITY DATE</b>	<b>APPLICANT</b> A99 044 383 AJAMI, AMIR H.	
<b>NOTICE DATE</b> August 12, 2005	<b>PAGE</b> 1 of 1		
<b>MONICA K. PATEL ATTORNEY AT LAW</b> FRAGOMEN DEL REY BERNSEN & LOEWY L RE: AMIR HOOSHEANG AJAMI 2804 MISSION COLLEGE BLVD 2 FL SANTA CLARA CA 95054		<b>Notice Type:</b> Receipt Notice  <b>Amount received:</b> \$ 165.00	

Receipt notice - If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at [uscis.gov](http://uscis.gov).
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you.
- If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to [www.state.gov/travel](http://www.state.gov/travel) <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at [www.uscis.gov](http://www.uscis.gov) or contact us at 1-800-375-5283.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

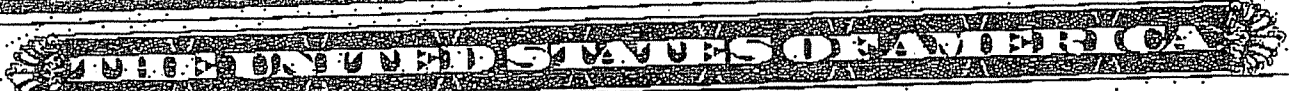
Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111  
LAGUNA NIGUEL, CA 92607-0111  
Customer Service Telephone: (800) 375-5283



Department of Homeland Security  
U.S. Citizenship and Immigration Services

I-797C, Notice of Action



RECEIPT NUMBER WAC-05-224-50012		CASE TYPE: I765 APPLICATION FOR EMPLOYMENT AUTHORIZATION
RECEIVED DATE August 8, 2005	PRIORITY DATE	APPLICANT: A99 044 383 AJAMI, AMIR H.
NOTICE DATE August 12, 2005	PAGE 1 OF 1	
MONICA K. PATEL ATTORNEY AT LAW FRAGOMEN DEL REY BERNSEN & LOEWY L RE: AMIR HOOSHANG AJAMI 2804 MISSION COLLEGE BLVD 2 FL SANTA CLARA CA 95054		Notice Type: Receipt Notice  Amount received: \$ 175.00 Representative's Copy Class requested: C09

Receipt notice - If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at [uscis.gov](http://uscis.gov).
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you.
- If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to [www.state.gov/travel](http://www.state.gov/travel) to determine current visa availability dates. For more information, please visit our website at [www.uscis.gov](http://www.uscis.gov) or contact us at 1-800-375-5283.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111  
LAGUNA NIGUEL, CA 92607-0111  
Customer Service Telephone: (800) 375-5283





## ASC Appointment Notice

CASE TYPE  
I485 Application to Register Permanent Resident or Adjust Status

APPLICATION NUMBER  
WAC0522450002

SOCIAL SECURITY NUMBER

USCIS A#

A099044383

NOTICE DATE  
6/7/2006

CODE

3

TCR

SERVICE CENTER

WSC

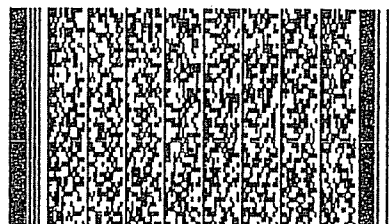
PAGE

1 of 1

AMIR HOOSHANG AJAMI  
1257 LAKESIDE DR 3229  
SUNNYVALE, CA 94085

ASC SITE CODE XTE/SAN JOSE  
BIOMETRICS QA REVIEW BY

*[Signature]* ON JUN 21 2006  
TELEPRINTS QA REVIEW BY  
*[Signature]* ON JUN 21 2006



To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.

**PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.  
IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.**

### APPLICATION SUPPORT CENTER

USCIS SAN JOSE  
122 CHARCOT AVE.  
SAN JOSE, CA 95131

### DATE AND TIME OF APPOINTMENT

06/21/2006  
10:00 AM

**WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:**

1. **THIS APPOINTMENT NOTICE** and
2. **PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

### REQUEST FOR RESCHEDULING

Please reschedule my appointment for the next available: ☐ Wednesday afternoon ☐ Saturday afternoon

U. S. Citizenship & Immigration Services (USCIS) cannot guarantee the day preferred, but will do so to the extent possible. Upon receipt of your request, you will be provided a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to USCIS SAN JOSE, 122 CHARCOT AVE., SAN JOSE, CA 95131

APPLICATION NUMBER 1

I485 - WAC0522450002



If you have any questions regarding this notice, please call 1-800-375-5283.

### WARNING!

*Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.*

*If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.*





U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

May 8, 2007

WH 588075

Mr. Amir Hooshang Ajami  
Number 3229  
1257 Lakeside Drive  
Sunnyvale, CA 94085

Dear Mr. Ajami:

Your letter dated March 25, 2007, directed to Mrs. George W. Bush concerning your name check status for immigration purposes, was forwarded to the Department of Justice and subsequently referred to the Federal Bureau of Investigation (FBI) for reply.

A review of the FBI's Name Check Program database revealed that your request was received from the United States Citizenship and Immigration Services on August 22, 2005, and is currently in process.

The FBI processes millions of name check requests each year with each requiring thoughtful consideration. We know how important this information is to you; however, the FBI must also balance the need for national security in preparing the response to each of these requests. The FBI's homeland security mission requires that our name check process be primarily focused on an accurate and thorough result. While an exact date for completion of this review cannot be given, you may be assured that the results will be made available to the immigration authorities as quickly as possible.

I trust this information will be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Cannon", is written over the typed name.

For! Michael A. Cannon  
Section Chief  
National Name Check Program Section  
Records Management Division

EXHIBIT C

U.S. Department of Labor    **Employment and Training Administration**  
Chicago Processing Center  
844 N. Rush Street  
12th Floor  
Chicago, IL 60611



September 13, 2006

MAGMA DESIGN AUTOMATION, INC.  
c/o Law Office of Barbara C.Y. Laam  
Barbara C. Laam  
2350 Mission College Boulevard  
Suite 475

Santa Clara, CA 95054

ETA Case Number: C-06180-34271

Alien's Name: AMIR HOOSHANG AJAMI  
Occupation: SW Systems Engineer, 15-  
1032.00

Date of Acceptance for  
Processing: September 06, 2006

Dear MAGMA DESIGN AUTOMATION, INC.

The Department of Labor has made a determination on your Application for Permanent Employment Certification (ETA Form 9089) pursuant to 20 CFR §656.24 and as required by the Immigration and Nationality Act, as amended.

**Form ETA 9089 has been certified and is enclosed.** This certification must be attached to the I-140 petition and filed with the appropriate office of the United States Citizenship and Immigration Services (USCIS).

Sincerely,

Dominic Pavese  
Certifying Officer

CC: MAGMA DESIGN AUTOMATION, INC.  
Enclosure(s): ETA Form 9089

EXHIBIT D

OMB Approval: 1205-0451 Application for Permanent Employment Certification  
 Expiration Date: 03/31/2008

ETA Form 9089  
 U.S. Department of Labor



Please read and review the filing instructions before completing this form. A copy of the instructions can be found at <http://workforcesecurity.doleta.gov/foreign/>.

Employing or continuing to employ an alien unauthorized to work in the United States is illegal and may subject the employer to criminal prosecution, civil money penalties, or both.

#### A. Refiling Instructions

1. Are you seeking to utilize the filing date from a previously submitted Application for Alien Employment Certification (ETA 750)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1-A. If Yes, enter the previous filing date		
1-B. Indicate the previous SWA or local office case number OR if not available, specify state where case was originally filed:		

#### B. Schedule A or Shepherder Information

1. Is this application in support of a Schedule A or Shepherder Occupation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If Yes, do NOT send this application to the Department of Labor. All applications in support of Schedule A or Shepherder Occupations must be sent directly to the appropriate Department of Homeland Security office.		

#### C. Employer Information (Headquarters or Main Office)

1. Employer's name MAGMA DESIGN AUTOMATION, INC.			
2. Address 1 5460 BAYFRONT PLAZA			
Address 2			
3. City SANTA CLARA	State/Province CA	Country UNITED STATES OF AMERICA	Postal code 95054
4. Phone number 408-565-7500		Extension	
5. Number of employees 639		6. Year commenced business 1997	
7. FEIN (Federal Employer Identification Number) 770454924		8. NAICS code 511210	
9. Is the employer a closely held corporation, partnership, or sole proprietorship in which the alien has an ownership interest, or is there a familial relationship between the owners, stockholders, partners, corporate officers, incorporators, and the alien?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

#### D. Employer Contact Information (This section must be filled out. This information must be different from the agent or attorney information listed in Section E).

1. Contact's last name Vasquez	First name Luci	Middle initial C
2. Address 1 5460 Bayfront Plaza		
Address 2		
3. City Santa Clara	State/Province CA	Country UNITED STATES OF AMERICA
4. Phone number 408-565-7923		Postal code 95054
5. E-mail address luci@magma-da.com		Extension

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ETA Form 9089  
 U.S. Department of Labor



### E. Agent or Attorney Information (If applicable)

1. Agent or attorney's last name <b>Laam</b>	First name <b>Barbara</b>	Middle initial <b>C</b>
2. Firm name <b>Law Office of Barbara C.Y. Laam</b>		
3. Firm EIN <b>061777766</b>	4. Phone number <b>408-982-0736</b>	Extension
5. Address 1 <b>2350 Mission College Boulevard</b>		
Address 2 <b>Suite 475</b>		
6. City <b>Santa Clara</b>	State/Province <b>CA</b>	Country <b>UNITED STATES OF AMERICA</b>
7. E-mail address <b>barbara@laamlaw.com</b>		Postal code <b>95054</b>

### F. Prevailing Wage Information (as provided by the State Workforce Agency)

1. Prevailing wage tracking number (if applicable)	2. SOC/O*NET(OES) code <b>15-1032.00</b>
3. Occupation Title <b>SW Systems Engineer</b>	4. Skill Level <b>Level III</b>
5. Prevailing wage Per: (Choose only one) <b>\$ 92,491.55</b> <input type="checkbox"/> Hour <input type="checkbox"/> Week <input type="checkbox"/> Bi-Weekly <input type="checkbox"/> Month <input checked="" type="checkbox"/> Year	
6. Prevailing wage source (Choose only one) <input type="checkbox"/> OES <input type="checkbox"/> CBA <input type="checkbox"/> Employer Conducted Survey <input type="checkbox"/> DBA <input type="checkbox"/> SCA <input checked="" type="checkbox"/> Other	
6-A. If Other is indicated in question 6, specify: <b>Radford</b>	
7. Determination date <b>11/16/2005</b>	8. Expiration date <b>11/16/2006</b>

### G. Wage Offer Information

1. Offered wage From: <b>\$ 123,250.00</b>	To: (Optional) <b>\$</b>	Per: (Choose only one) <input type="checkbox"/> Hour <input type="checkbox"/> Week <input type="checkbox"/> Bi-Weekly <input type="checkbox"/> Month <input checked="" type="checkbox"/> Year
---	-----------------------------	--

### H. Job Opportunity Information (Where work will be performed)

1. Primary worksite (where work is to be performed) address 1 <b>5460 Bayfront Plaza</b>		
Address 2		
2. City <b>Santa Clara</b>	State <b>CA</b>	Postal code <b>95054</b>
3. Job title <b>Member of Technical Staff (Engineer)</b>		
4. Education: minimum level required: <input type="checkbox"/> None <input type="checkbox"/> High School <input type="checkbox"/> Associate's <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input checked="" type="checkbox"/> Doctorate <input type="checkbox"/> Other		
4-A. If Other is indicated in question 4, specify the education required:		
4-B. Major field of study <b>EE</b>		
5. Is training required in the job opportunity? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		5-A. If Yes, number of months of training required:

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#### H. Job Opportunity Information Continued

5-B. Indicate the field of training:	
6. Is experience in the job offered required for the job? 6-A. If Yes, number of months experience required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7. Is there an alternate field of study that is acceptable? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7-A. If Yes, specify the major field of study: <b>CS, CE, or related</b>	
8. Is there an alternate combination of education and experience that is acceptable? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
8-A. If Yes, specify the alternate level of education required: <input type="checkbox"/> None <input type="checkbox"/> High School <input type="checkbox"/> Associate's <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input type="checkbox"/> Doctorate <input type="checkbox"/> Other	
8-B. If Other is indicated in question 8-A, indicate the alternate level of education required:	
8-C. If applicable, indicate the number of years experience acceptable in question 8:	
9. Is a foreign educational equivalent acceptable? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10. Is experience in an alternate occupation acceptable? 10-A. If Yes, number of months experience in alternate occupation required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
10-B. Identify the job title of the acceptable alternate occupation:	
11. Job duties – If submitting by mail, add attachment if necessary. Job duties description must begin in this space. See Attachment	
12. Are the job opportunity's requirements normal for the occupation?  <i>If the answer to this question is No, the employer must be prepared to provide documentation demonstrating that the job requirements are supported by business necessity.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
13. Is knowledge of a foreign language required to perform the job duties?  <i>If the answer to this question is Yes, the employer must be prepared to provide documentation demonstrating that the language requirements are supported by business necessity.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
14. Specific skills or other requirements – If submitting by mail, add attachment if necessary. Skills description must begin in this space. OOP (Object Oriented Programming), C++ and Java; CAD algorithms for physical design and SI; Clock planning, routing and optimization; Chip thermal management; SI for DSM, V-Drop, EM/TM, OCV, leakage; Dynamic power management techniques.	

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**H. Job Opportunity Information Continued**

15. Does this application involve a job opportunity that includes a combination of occupations?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
16. Is the position identified in this application being offered to the alien identified in Section J?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
17. Does the job require the alien to live on the employer's premises?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
18. Is the application for a live-in household domestic service worker?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
18-A. If Yes, have the employer and the alien executed the required employment contract and has the employer provided a copy of the contract to the alien?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

**I. Recruitment Information****a. Occupation Type – All must complete this section.**

1. Is this application for a <b>professional occupation</b> , other than a college or university teacher? Professional occupations are those for which a bachelor's degree (or equivalent) is normally required.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Is this application for a college or university teacher? If Yes, complete questions 2-A and 2-B below.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2-A. Did you select the candidate using a competitive recruitment and selection process?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2-B. Did you use the basic recruitment process for professional occupations?	<input type="checkbox"/> Yes <input type="checkbox"/> No

**b. Special Recruitment and Documentation Procedures for College and University Teachers – Complete only if the answer to question I.a.2-A is Yes.**

3. Date alien selected:
4. Name and date of national professional journal in which advertisement was placed:
5. Specify additional recruitment information in this space. Add an attachment if necessary.

**c. Professional/Non-Professional Information – Complete this section unless your answer to question B.1 or I.a.2-A is YES.**

6. Start date for the SWA job order 06/19/2006	7. End date for the SWA job order 07/21/2006
8. Is there a Sunday edition of the newspaper in the area of intended employment?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
9. Name of newspaper (of general circulation) in which the first advertisement was placed: San Jose Mercury News	
10. Date of first advertisement identified in question 9: 04/30/2006	
11. Name of newspaper or professional journal (if applicable) in which second advertisement was placed: San Jose Mercury News	
<input checked="" type="checkbox"/> Newspaper <input type="checkbox"/> Journal	



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### I. Recruitment Information Continued

12. Date of second newspaper advertisement or date of publication of journal identified in question 11:  
 05/07/2006

**d. Professional Recruitment Information – Complete if the answer to question I.a.1 is YES or if the answer to I.a.2-B is YES. Complete at least 3 of the items.**

13. Dates advertised at job fair From: To:	14. Dates of on-campus recruiting From: To:
15. Dates posted on employer web site From: 06/19/2006 To: 07/10/2006	16. Dates advertised with trade or professional organization From: To:
17. Dates listed with job search web site From: 05/01/2006 To: 05/13/2006	18. Dates listed with private employment firm From: To:
19. Dates advertised with employee referral program From: 06/19/2006 To: 07/10/2006	20. Dates advertised with campus placement office From: To:
21. Dates advertised with local or ethnic newspaper From: To:	22. Dates advertised with radio or TV ads From: To:

**e. General Information – All must complete this section.**

23. Has the employer received payment of any kind for the submission of this application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
23-A. If Yes, describe details of the payment including the amount, date and purpose of the payment:	
24. Has the bargaining representative for workers in the occupation in which the alien will be employed been provided with notice of this filing at least 30 days but not more than 180 days before the date the application is filed?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
25. If there is no bargaining representative, has a notice of this filing been posted for 10 business days in a conspicuous location at the place of employment, ending at least 30 days before but not more than 180 days before the date the application is filed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
26. Has the employer had a layoff in the area of intended employment in the occupation involved in this application or in a related occupation within the six months immediately preceding the filing of this application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
26-A. If Yes, were the laid off U.S. workers notified and considered for the job opportunity for which certification is sought?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

**J. Alien Information (This section must be filled out. This information must be different from the agent or attorney information listed in Section E).**

1. Alien's last name <b>AJAMI</b>	First name <b>AMIR</b>	Full middle name <b>HOOSHANG</b>
2. Current address 1 <b>1257 LAKESIDE DRIVE</b>		
Address 2 <b>3229</b>		
3. City <b>SUNNYVALE</b>	State/Province <b>CA</b>	Country <b>UNITED STATES OF AMERICA</b>
4. Phone number of current residence <b>213-880-5184</b>		Postal code <b>94085</b>
5. Country of citizenship <b>IRAN</b>	6. Country of birth <b>IRAN</b>	
7. Alien's date of birth <b>07/27/1969</b>	8. Class of admission <b>H-1B</b>	
9. Alien registration number (A#) <b>n/a</b>	10. Alien admission number (I-94) <b>16661048306</b>	
11. Education: highest level achieved relevant to the requested occupation:		
<input type="checkbox"/> None <input type="checkbox"/> High School <input type="checkbox"/> Associate's <input type="checkbox"/> Bachelor's <input type="checkbox"/> Master's <input checked="" type="checkbox"/> Doctorate <input type="checkbox"/> Other		

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#### J. Alien Information Continued

11-A. If Other indicated in question 11, specify			
12. Specify major field(s) of study <b>ELECTRICAL ENGINEERING</b>			
13. Year relevant education completed <b>2002</b>			
14. Institution where relevant education specified in question 11 was received <b>UNIVERSITY OF SOUTHERN CALIFORNIA</b>			
15. Address 1 of conferring institution <b>STU 300, UNIVERSITY PARK CAMPUS</b>			
Address 2			
16. City <b>LOS ANGELES</b>	State/Province <b>CA</b>	Country <b>UNITED STATES OF AMERICA</b>	Postal code <b>90089</b>
17. Did the alien complete the training required for the requested job opportunity, as indicated in question H.5?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA	
18. Does the alien have the experience as required for the requested job opportunity indicated in question H.6?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA	
19. Does the alien possess the alternate combination of education and experience as indicated in question H.8?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA	
20. Does the alien have the experience in an alternate occupation specified in question H.10?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA	
21. Did the alien gain any of the qualifying experience with the employer in a position substantially comparable to the job opportunity requested?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA	
22. Did the employer pay for any of the alien's education or training necessary to satisfy any of the employer's job requirements for this position?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
23. Is the alien currently employed by the petitioning employer?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

#### K. Alien Work Experience

List all jobs the alien has held during the past 3 years. Also list any other experience that qualifies the alien for the job opportunity for which the employer is seeking certification.

##### a. Job 1

1. Employer name <b>Magma Design Automation Inc.</b>			
2. Address 1 <b>5460 Bayfront Plaza</b>			
Address 2			
3. City <b>Santa Clara</b>	State/Province <b>CA</b>	Country <b>UNITED STATES OF AMERICA</b>	Postal code <b>95054</b>
4. Type of business <b>Software</b>		5. Job title <b>Engineer: MTS</b>	
6. Start date <b>10/14/2002</b>	7. End date	8. Number of hours worked per week <b>40</b>	

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**K. Alien Work Experience Continued**

9. Job details (duties performed, use of tools, machines, equipment, skills, qualifications, certifications, licenses, etc. Include the phone number of the employer and the name of the alien's supervisor.)  
 See Attachment

**b. Job 2**

1. Employer name <b>University of Southern California</b>			
2. Address 1 <b>Department of Electrical Engineering - Systems</b>			
Address 2 <b>3740 McClintock Avenue</b>			
3. City <b>Los Angeles</b>	State/Province <b>CA</b>	Country <b>UNITED STATES OF AMERICA</b>	Postal code <b>900892562</b>
4. Type of business <b>Educational Institution</b>		5. Job title <b>Research Assistant</b>	
6. Start date <b>05/01/1998</b>	7. End date <b>10/10/2002</b>	8. Number of hours worked per week <b>20</b>	
9. Job details (duties performed, use of tools, machines, equipment, skills, qualifications, certifications, licenses, etc. Include the phone number of the employer and the name of the alien's supervisor.) See Attachment			

**c. Job 3**

1. Employer name <b>University of Southern California</b>			
2. Address 1 <b>Department of Electrical Engineering - Systems</b>			
Address 2 <b>3740 McClintock Avenue</b>			
3. City <b>Los Angeles</b>	State/Province <b>CA</b>	Country <b>UNITED STATES OF AMERICA</b>	Postal code <b>900892562</b>
4. Type of business <b>Educational Institution</b>		5. Job title <b>Head Teaching Assistant</b>	
6. Start date <b>09/05/1997</b>	7. End date <b>09/01/1999</b>	8. Number of hours worked per week <b>10</b>	

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#### K. Alien Work Experience Continued

9. Job details (duties performed, use of tools, machines, equipment, skills, qualifications, certifications, licenses, etc. Include the phone number of the employer and the name of the alien's supervisor.)

Developed a new set of digital design experiments to be used in VSC's MPU Lab, including FPGA based design using VHDL/Verilog. Maintained and designed SDK equipment based on x86 to be used as development systems in the lab.  
 (Worked 10-20 hours per week)

#### L. Alien Declaration

*I declare under penalty of perjury that Sections J and K are true and correct. I understand that to knowingly furnish false information in the preparation of this form and any supplement thereto or to aid, abet, or counsel another to do so is a federal offense punishable by a fine or imprisonment up to five years or both under 18 U.S.C. §§ 2 and 1001. Other penalties apply as well to fraud or misuse of ETA immigration documents and to perjury with respect to such documents under 18 U.S.C. §§ 1546 and 1621.*

*In addition, I further declare under penalty of perjury that I intend to accept the position offered in Section H of this application if a labor certification is approved and I am granted a visa or an adjustment of status based on this application.*

1. Alien's last name <b>AJAMI</b>	First name <b>AMIR</b>	Full middle name <b>HOOSHANG</b>
2. Signature 		Date signed <b>09/25/2006</b>

**Note** – The signature and date signed do not have to be filled out when electronically submitting to the Department of Labor for processing, but must be complete when submitting by mail. If the application is submitted electronically, any resulting certification MUST be signed *immediately upon receipt* from DOL before it can be submitted to USCIS for final processing.

#### M. Declaration of Preparer

1. Was the application completed by the employer?  
 If No, you must complete this section.

☐ Yes ☒ No

*I hereby certify that I have prepared this application at the direct request of the employer listed in Section C and that to the best of my knowledge the information contained herein is true and correct. I understand that to knowingly furnish false information in the preparation of this form and any supplement thereto or to aid, abet, or counsel another to do so is a federal offense punishable by a fine, imprisonment up to five years or both under 18 U.S.C. §§ 2 and 1001. Other penalties apply as well to fraud or misuse of ETA immigration documents and to perjury with respect to such documents under 18 U.S.C. §§ 1546 and 1621.*

2. Preparer's last name <b>Laam</b>	First name <b>Barbara</b>	Middle initial <b>C</b>
3. Title <b>Attorney at Law</b>		
4. E-mail address <b>barbara@laamlaw.com</b>		
5. Signature 		Date signed <b>9-26-2006</b>

**Note** – The signature and date signed do not have to be filled out when electronically submitting to the Department of Labor for processing, but must be complete when submitting by mail. If the application is submitted electronically, any resulting certification MUST be signed *immediately upon receipt* from DOL before it can be submitted to USCIS for final processing.

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ETA Form 9089  
U.S. Department of Labor**N. Employer Declaration**By virtue of my signature below, I **HEREBY CERTIFY** the following conditions of employment:

1. The offered wage equals or exceeds the prevailing wage and I will pay at least the prevailing wage.
2. The wage is not based on commissions, bonuses or other incentives, unless I guarantees a wage paid on a weekly, bi-weekly, or monthly basis that equals or exceeds the prevailing wage.
3. I have enough funds available to pay the wage or salary offered the alien.
4. I will be able to place the alien on the payroll on or before the date of the alien's proposed entrance into the United States.
5. The job opportunity does not involve unlawful discrimination by race, creed, color, national origin, age, sex, religion, handicap, or citizenship.
6. The job opportunity is not:
  - a. Vacant because the former occupant is on strike or is being locked out in the course of a labor dispute involving a work stoppage; or
  - b. At issue in a labor dispute involving a work stoppage.
7. The job opportunity's terms, conditions, and occupational environment are not contrary to Federal, state or local law.
8. The job opportunity has been and is clearly open to any U.S. worker.
9. The U.S. workers who applied for the job opportunity were rejected for lawful job-related reasons.
10. The job opportunity is for full-time, permanent employment for an employer other than the alien.

I hereby designate the agent or attorney identified in section E (if any) to represent me for the purpose of labor certification and, by virtue of my signature in Block 3 below, I take full responsibility for the accuracy of any representations made by my agent or attorney.

I declare under penalty of perjury that I have read and reviewed this application and that to the best of my knowledge the information contained herein is true and accurate. I understand that to knowingly furnish false information in the preparation of this form and any supplement thereto or to aid, abet, or counsel another to do so is a federal offense punishable by a fine or imprisonment up to five years or both under 18 U.S.C. §§ 2 and 1001. Other penalties apply as well to fraud or misuse of ETA immigration documents and to perjury with respect to such documents under 18 U.S.C. §§ 1546 and 1621.

1. Last name <b>Jimenez</b>	First name <b>Diana</b>	Middle initial <b>T</b>
2. Title <b>Senior Corporate Counsel</b>		
3. Signature 		Date signed <b>SEP 29 2006</b>

**Note** – The signature and date signed do not have to be filled out when electronically submitting to the Department of Labor for processing, but must be complete when submitting by mail. If the application is submitted electronically, any resulting certification MUST be signed immediately upon receipt from DOL before it can be submitted to USCIS for final processing.

**O. U.S. Government Agency Use Only**

Pursuant to the provisions of Section 212 (a)(5)(A) of the Immigration and Nationality Act, as amended, I hereby certify that there are not sufficient U.S. workers available and the employment of the above will not adversely affect the wages and working conditions of workers in the U.S. similarly employed.

Signature of Certifying Officer

9/14/2006

Date Signed

C-06180-34271

Case Number

09/06/2006

Filing Date



OMB Approval: 1205-0451 Application for Permanent Employment Certification  
 Expiration Date: 03/31/2008

ETA Form 9089  
 U.S. Department of Labor



**P. OMB Information**

*Paperwork Reduction Act Information Control Number 1205-0451*

Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

Respondent's reply to these reporting requirements is required to obtain the benefits of permanent employment certification (Immigration and Nationality Act, Section 212(a)(5)). Public reporting burden for this collection of information is estimated to average 1¼ hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate to the Division of Foreign Labor Certification \* U.S. Department of Labor \* Room C4312 \* 200 Constitution Ave., NW \* Washington, DC \* 20210.

**Do NOT send the completed application to this address.**

**Q. Privacy Statement Information**

In accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552a), you are hereby notified that the information provided herein is protected under the Privacy Act. The Department of Labor (Department or DOL) maintains a System of Records titled Employer Application and Attestation File for Permanent and Temporary Alien Workers (DOL/ETA-7) that includes this record.

Under routine uses for this system of records, case files developed in processing labor certification applications, labor condition applications, or labor attestations may be released as follows: in connection with appeals of denials before the DOL Office of Administrative Law Judges and Federal courts, records may be released to the employers that filed such applications, their representatives, to named alien beneficiaries or their representatives, and to the DOL Office of Administrative Law Judges and Federal courts; and in connection with administering and enforcing immigration laws and regulations, records may be released to such agencies as the DOL Office of Inspector General, Employment Standards Administration, the Department of Homeland Security, and the Department of State.

Further relevant disclosures may be made in accordance with the Privacy Act and under the following circumstances: in connection with federal litigation; for law enforcement purposes; to authorized parent locator persons under Pub. L. 93-647; to an information source or public authority in connection with personnel, security clearance, procurement, or benefit-related matters; to a contractor or their employees, grantees or their employees, consultants, or volunteers who have been engaged to assist the agency in the performance of Federal activities; for Federal debt collection purposes; to the Office of Management and Budget in connection with its legislative review, coordination, and clearance activities; to a Member of Congress or their staff in response to an inquiry of the Congressional office made at the written request of the subject of the record; in connection with records management; and to the news media and the public when a matter under investigation becomes public knowledge, the Solicitor of Labor determines the disclosure is necessary to preserve confidence in the integrity of the Department, or the Solicitor of Labor determines that a legitimate public interest exists in the disclosure of information, unless the Solicitor of Labor determines that disclosure would constitute an unwarranted invasion of personal privacy.



## Addendum

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### H. 11. Job duties

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Develop company's physical and logical design tools. Work on CAD algorithms for IC design, including logic synthesis, physical design, signal integrity, and graph algorithms. Work on clock planning, routing, and optimization of company's physical design system. Use H-tree and bottom up clustering techniques for clock design, minimizing skew and slack and of a design. Make clock immune to on chip voltage and temperature variations. Design new algorithms that improve corporate tools' quality of results and support existing algorithms and software. Program in C++ while performing the above referenced tasks.

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Addendum

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K. 9. Job 1 - Job Details

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Develop company's physical and logical design tools. Work on CAD algorithms for IC design, including logic synthesis, physical design, signal integrity, and graph algorithms. Work on clock planning, routing, and optimization of company's physical design system. Use H-tree and bottom up clustering techniques for clock design, minimizing skew and slack and of a design. Make clock immune to on chip voltage and temperature variations. Design new algorithms that improve corporate tools' quality of results and support existing algorithms and software. Program in C++ while performing the above referenced tasks.

Addendum

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K. 9. Job 2 - Job Details

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Researched the impact of technology scaling on power grid voltage in high-performance ULSI Chips. Researched the impact of the on-chip non-uniform temperature of signal reliability and performance degradation in DSM interconnects. Developed fast and accurate non-uniform 2D/3D full-chip thermal simulator in C++ and Matlab. As a Software Engineer, was involved in PEGASUS hierarchical CAD group. Developed an object-oriented hierarchical EDA framework for ASIC design flows in C++. Developed static timing analysis, global routing, and timing-driven placement engines in PEGASUS. (Worked 40 hours in the summer)



RECEIPT NUMBER SRC-07-009-51745		CASE TYPE I-140
RECEIVED DATE October 12, 2006		PRIORITY DATE
NOTICE DATE October 13, 2006		PAGE 1 OF 2
PETITIONER MAGMA DESIGN AUTOMATION INC		BENEFICIARY A099 044 383
BARBARA C. LAAM ATTY AT LAW LAW OFFICE OF BARBARA C Y LAAM 2350 MISSION COLLEGE BLVD STE 475 SANTA CLARA CA 95054		Notice Type: Premium Processing Receipt Notice Amount received: \$ 1195.00 Section: Mem. of Profession w/Adv Deg. or of Exceptn'l Ability Sec. 203 (b) (2)

Thank you for choosing to use the U.S. Citizenship and Immigration Service's Premium Processing Program. The above petition or application has been received and accepted as a Premium Processing case. You should receive a notice regarding your case within 15 days from the date shown as the received date above. If the Service needs to contact you regarding your case they may do so by mail, telephone, facsimile or e-mail using the information you provided.

Please notify us immediately if any of the above information is incorrect.

If you need to contact us regarding your Premium Processing case you can do so using the information immediately below. The mailing address, e-mail address and phone number listed below is for use in relation to cases filed under the Premium Processing Service program only. You can obtain case status information from our automated system 24 hours a day with a touch-tone phone and the receipt number for this case shown above by calling the phone number listed below.

Texas Service Center (TSC) Premium Processing:

I-140 PP Routine Mail: I-140 Premium Processing, USCIS, Texas Service Center  
P.O. Box 379050, Dallas, TX 75227-9050

Counter Address: USCIS, Texas Service Center  
1411 North St. Augustine Road, Dallas, TX 75227

I-140 PP Fax: 214-565-1415

I-140 PP Phone: 1-866-315-5718

Email address: TSC-Premium.i40@dhs.gov

Notice to all customers with a pending I-130 petition: USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to [www.state.gov/travel](http://www.state.gov/travel) to determine current visa availability dates. For more information, please visit our website at [www.uscis.gov](http://www.uscis.gov) or contact us at 1-800-375-5283.

If this receipt is for an I-485 or I-698 application:

USCIS will schedule your biometrics appointment. You will be receiving a biometrics appointment notice with a specific time, date and place where you will have your fingerprints and/or photos taken. You must wait for your biometrics appointment notice prior to going to the ASC for biometrics processing. This I-797 receipt notice is NOT your biometrics appointment notice and should not be taken to an ASC for biometrics processing.

#### WHAT TO BRING TO YOUR BIOMETRICS APPOINTMENT

Please bring your biometrics appointment letter (with specific time, date and place where you will have your fingerprints and/or photo taken) AND your photo identification to your biometrics appointment.

Please see the additional information on the back. You will be notified separately about any other cases you filed.



UNITED STATES OF AMERICA

RECEIPT NUMBER SRC-07-009-51745		CASE TYPE I-140
RECEIVED DATE October 12, 2006		PETITIONER MAGMA DESIGN AUTOMATION INC
NOTICE DATE October 13, 2006	PAGE 2 of 2	BENEFICIARY A099 044 383 AJAMI, AMIR H.

(Cont.)

Acceptable kinds of photo identification are:

- a passport or national photo identification issued by your country.
- a driver's license.
- a military photo identification, or
- a state - issued photo identification card.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.





OMB No. 1615-0015; Exp. 07/31/07

**I-140, Immigrant Petition  
for Alien Worker**Department of Homeland Security  
U.S. Citizenship and Immigration Services**START HERE - Please type or print in black ink.****For USCIS Use Only****Part 1. Information about the person or organization filing this petition.** If an individual is filing, use the top name line. Organizations should use the second line.

Family Name (Last Name)	Given Name (First Name)	Full Middle Name
Company or Organization Name		
Magma Design Automation, Inc.		
Address: (Street Number and Name)		Suite #
5460 Bayfront Plaza		
Attn:		
Luci Vasquez, Senior Legal Administrator, Immigration		
City	State/Province	
Santa Clara	CA	
Country	Zip/Postal Code	
USA	95054	
IRS Tax #	U.S. Social Security # (if any)	E-Mail Address (if any)
77-0454924		barbara@laamlaw.com

**Part 2. Petition type.**

This petition is being filed for: (Check one.)

- a. ☐ An alien of extraordinary ability.
- b. ☐ An outstanding professor or researcher.
- c. ☐ A multinational executive or manager.
- d. ☒ A member of the professions holding an advanced degree or an alien of exceptional ability (who is NOT seeking a National Interest Waiver).
- e. ☐ A professional (at a minimum, possessing a bachelor's degree or a foreign degree equivalent to a U.S. bachelor's degree) or a skilled worker (requiring at least two years of specialized training or experience).
- f. ☐ (Reserved.)
- g. ☐ Any other worker (requiring less than two years of training or experience).
- h. ☐ Soviet Scientist.
- i. ☐ An alien applying for a National Interest Waiver (who IS a member of the professions holding an advanced degree or an alien of exceptional ability).

**Part 3. Information about the person you are filing for.**

Family Name (Last Name)	Given Name (First Name)	Full Middle Name
AJAMI	Amir	Hooshang
Address: (Street Number and Name)		Apt. #
1257 Lakeside Drive #3229		
C/O: (In Care Of)		
City	State/Province	
Sunnyvale	CA	
Country	Zip/Postal Code	E-Mail Address (if any)
U.S.A	94085	barbara@laamlaw.com
Daytime Phone # (with area/country codes)	Date of Birth (mm/dd/yyyy)	
213-880-5184	07/27/1969	
City/Town/Village of Birth	State/Province of Birth	Country of Birth
Tehran	Tehran	Iran
Country of Nationality/Citizenship	A # (if any)	U.S. Social Security # (if any)
Iran	A99 044 383	616-94-7519
If in the U.S.	Date of Arrival (mm/dd/yyyy)	I-94 # (Arrival/Departure Document)
	06/15/2001	166610483 06
	Current Nonimmigrant Status	Date Status Expires (mm/dd/yyyy)
	H-1B	09/30/2008

Returned	Receipt
Date	
Date	
Resubmitted	
Date	
Date	
Reloc Sent	
Date	
Date	
Reloc Rec'd	
Date	
Date	

**Classification:**

- ☐ 203(b)(1)(A) Alien of Extraordinary Ability
- ☐ 203(b)(1)(B) Outstanding Professor or Researcher
- ☐ 203(b)(1)(C) Multi-National Executive or Manager
- ☐ 203(b)(2) Member of Professions w/Adv. Degree or Exceptional Ability
- ☐ 203(b)(3)(A)(i) Skilled Worker
- ☐ 203(b)(3)(A)(ii) Professional
- ☐ 203(b)(3)(A)(iii) Other Worker

**Certification:**

- ☐ National Interest Waiver (NIW)
- ☐ Schedule A, Group I
- ☐ Schedule A, Group II

**Priority Date****Consulate****Concurrent Filing:**

- ☐ I-485 filed concurrently.

**Remarks****Action Block****To Be Completed by**

Attorney or Representative, if any.

- ☐ Fill in box if G-28 is attached to represent the applicant.

ATTY State License #



**Part 4. Processing Information.**1. Please complete the following for the person named in Part 3: *(Check one)*☐ Alien will apply for a visa abroad at the American Embassy or Consulate at:

City

Foreign Country

☒ Alien is in the United States and will apply for adjustment of status to that of lawful permanent resident.

Alien's country of current residence or, if now in the U.S., last permanent residence abroad.

Iran

2. If you provided a U.S. address in Part 3, print the person's foreign address:

Avenue 14, Hormozan Street, F2 703, Tehran, Iran 14666

3. If the person's native alphabet is other than Roman letters, write the person's foreign name and address in the native alphabet:

4. Are any other petition(s) or application(s) being filed with this Form I-140?

☒ No☐ Yes-(check all that apply)☐ Form I-485☐ Form I-765☐ Form I-131☐ Other - Attach an explanation.

5. Is the person you are filing for in removal proceedings?

☒ No☐ Yes-Attach an explanation.

6. Has any immigrant visa petition ever been filed by or on behalf of this person?

☐ No☒ Yes-Attach an explanation.

If you answered yes to any of these questions, please provide the case number, office location, date of decision and disposition of the decision on a separate sheet(s) of paper.

**Part 5. Additional information about the petitioner.**1. Type of petitioner *(Check one.)*☒ Employer☐ Self☐ Other (Explain, e.g., Permanent Resident, U.S. citizen or any other person filing on behalf of the alien.)

2. If a company, give the following:

Type of Business

EDA Software

Date Established (mm/dd/yyyy)

1997

Current Number of Employees

639

Gross Annual Income

\$164 million

Net Annual Income

Varies

NAICS Code

5 1 1 2 1 0

DOL/ETA Case Number C-06180-34271

3. If an individual, give the following:

Occupation

Annual Income

**Part 6. Basic information about the proposed employment.**

1. Job Title

Member of Technical Staff (Engineer)

2. SOC Code

1 5 — 1 0 3 2

3. Nontechnical Description of Job

Please see attached Certified Permanent Employment Certification (Form ETA 9089)

4. Address where the person will work if different from address in Part 1.

Same as in Part 1.

5. Is this a full-time position?

☒ Yes ☐ No

6. If the answer to Number 5 is "No," how many hours per week for the position?

7. Is this a permanent position?

☒ Yes ☐ No

8. Is this a new position?

☐ Yes ☒ No

9. Wages per week

\$ 123,250.00/year (at least)

**Part 7. Information on spouse and all children of the person for whom you are filing.**

List husband/wife and all children related to the individual for whom the petition is being filed. Provide an attachment of additional family members, if needed.

Name (First/Middle/Last)	Relationship	Date of Birth (mm/dd/yyyy)	Country of Birth
None			

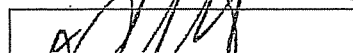
**Part 8. Signature.** *Read the information on penalties in the instructions before completing this section. If someone helped you prepare this petition, he or she must complete Part 9.*

I certify, under penalty of perjury under the laws of the United States of America, that this petition and the evidence submitted with it are all true and correct. I authorize U.S. Citizenship and Immigration Services to release to other government agencies any information from my USCIS (or former INS) records, if USCIS determines that such action is necessary to determine eligibility for the benefit sought.

Petitioner's Signature

Daytime Phone Number (Area/Country Codes)

E-Mail Address



408-565-7500

barbara@laamlaw.com

Print Name

Date (mm/dd/yyyy)

Diana T. Jimenez, Senior Corporate Counsel

SEP 29 2006

NOTE: If you do not fully complete this form or fail to submit the required documents listed in the instructions, a final decision on your petition may be delayed or the petition may be denied.

**Part 9. Signature of person preparing form, if other than above. (Sign below.)**

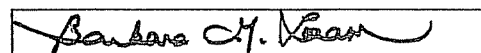
I declare that I prepared this petition at the request of the above person and it is based on all information of which I have knowledge.

Attorney or Representative: In the event of a Request for Evidence (RFE), may the USCIS contact you by Fax or E-mail? ☒ Yes ☐ No

Signature

Print Name

Date (mm/dd/yyyy)



Barbara C.Y. Laam, Attorney at Law

10-11-06

Firm Name and Address

Law Office of Barbara C.Y. Laam

2350 Mission College Boulevard, Suite 475, Santa Clara, CA 95054

Daytime Phone Number (Area/Country Codes)

Fax Number (Area/Country Codes)

E-Mail Address

408-982-0736

408-982-0765

barbara@laamlaw.com

Part 4. Processing Information

5. Has any immigrant visa petition ever been filed by or on behalf of this person?

Yes, please see attached I-140 Receipt from USCIS

Petitioner: Magma Design Automation, Inc.

Receipt: WAC-05-224-50018; Status: Currently Pending

\*\*\*\*NOTE: Request to WITHDRAW Pending I-140 (WAC-05-224-50018) was submitted to the USCIS and was delivered to the USCIS on October 6, 2006. [Please see attached copy of withdrawal letter and Federal Express confirmation].

OMB No. 1615-0048; Expires 07/31/09

Department of Homeland Security  
U.S. Citizenship and Immigration Services

# I-907, Request for Premium Processing Service

START HERE - Please type or print in black ink.

For USCIS Use Only.

**Part 1. Information about you.** *(Person filing this petition.)*

Individual Named in the Related Case:

Family Name

Given Name

Middle Name

AJAMI

Amir

Hooshang

If filed on behalf of a company: Company or Business Named in the Related Case

MAGMA DESIGN AUTOMATION, INC.

Mailing Address - Street Number and Name / P.O. Box Number

5460 BAYFRONT PLAZA

Company Contact Information:

Name of Company Contact

Title/Position

DIANA T. JIMENEZ

SENIOR CORPORATE COUNSEL

City

State/Province

Zip/Postal Code

SANTA CLARA

CA

95054

IRS Tax # (if any)

77-0454924

You (the person submitting this request):

- ☒ Are the petitioner who is filing or has filed a petition eligible for Premium Processing.
- ☐ Are the attorney/accredited representative for the petitioner who is filing or has filed a petition eligible for Premium Processing. *(Complete and submit Form G-28.)*
- ☐ Are the applicant who is filing or has filed an application eligible for Premium Processing.
- ☐ Are the attorney/accredited representative for the applicant who is filing or has filed an application eligible for Premium Processing. *(Complete and submit Form G-28.)*

Phone Number (Area/Country Code)

408-982-0736

Fax Number (Area/Country Code)

408-982-0765

E-Mail Address

BARBARA@LAAMLAW.COM

**Part 2. Information about request.**

1. Form number of related petition/application.

I-140

2. Receipt number of related petition/application.

TO BE ISSUED BY USCIS

3. Classification/Eligibility Requested.

EB2 (who is NOT seeking NIW)

4. Petitioner/Applicant in the relating case.

MAGMA DESIGN AUTOMATION, INC.

5. Beneficiary in the relating case.

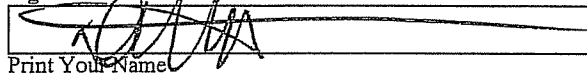
AMIR HOOSHANG AJAMI

**Part 3. Original signature.** *(This is the same person authorized to sign the petition or application.)*

It is understood that if U.S. Citizenship and Immigration Services (USCIS) does not issue an approval notice, request for evidence, notice of intent to deny, or refer for investigation of suspected fraud or misrepresentation within 15-calendar days after this request has been physically received at the appropriate USCIS office, a refund of the Premium Processing fee will be given to the addressee shown in Part 1 of this request.

I certify, under penalty of perjury under the laws of the United States of America, that the information provided with this request is all true and correct. I authorize the release of any information from my records that USCIS needs to determine eligibility for the benefit being sought.

Signature



Print Your Name

DIANA T. JIMENEZ

Title (if applicable)

SENIOR CORPORATE COUNSEL

Date (mm/dd/yyyy)

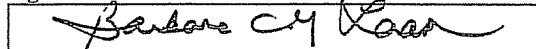
OCT - 3 2006

**Part 4. Original signature of attorney or accredited representative.** *(Note if attorney is signing above in Part 3.)*

I declare that I prepared this application at the request of the above person and it is based on all information of which I have knowledge.

- ☐ Same individual as signing above in Part 3. *(If this box is checked, provide all the requested information below and submit a Form G-28.)*

Signature



Print Your Name

BARBARA C.Y. LAAM, ATTORNEY AT LAW

Date (mm/dd/yyyy)

10-11-06

Firm Name and Address

LAW OFFICE OF BARBARA C.Y. LAAM 2350 MISSION COLLEGE

Daytime Phone Number (Area Code and Number)

408-982-0736



OMB No. 1615-0023; Expires 09/30/08

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**I-485, Application to Register  
Permanent Residence or Adjust Status**

**START HERE - Please type or print in black ink.**

**Part 1. Information about you.**

Family Name AJAMI	Given Name Amir	Middle Name Hooshang
Address- C/O		
Street Number and Name 1257 Lakeside Drive		Apt. # 3229
City Sunnyvale		
State CA	Zip Code 94085	
Date of Birth (mm/dd/yyyy) 07/27/1969	Country of Birth: Iran Country of Citizenship/Nationality: Iran	
U.S. Social Security # 616-94-7519	A # (if any) A99-044-383	
Date of Last Arrival (mm/dd/yyyy) 06/15/2001	I-94 # 166610483 06	
Current USCIS Status H-1B	Expires on (mm/dd/yyyy) 09/30/2008	

**Part 2. Application type. (Check one.)**

I am applying for an adjustment to permanent resident status because:

- ☐ an immigrant petition giving me an immediately available immigrant visa number has been approved. (Attach a copy of the approval notice, or a relative, special immigrant juvenile or special immigrant military visa petition filed with this application that will give you an immediately available visa number, if approved.)
- ☐ my spouse or parent applied for adjustment of status or was granted lawful permanent residence in an immigrant visa category that allows derivative status for spouses and children.
- ☐ I entered as a K-1 fiancé(e) of a United States citizen whom I married within 90 days of entry, or I am the K-2 child of such a fiancé(e). (Attach a copy of the fiancé(e) petition approval notice and the marriage certificate).
- ☐ I was granted asylum or derivative asylum status as the spouse or child of a person granted asylum and am eligible for adjustment.
- ☐ I am a native or citizen of Cuba admitted or paroled into the United States after January 1, 1959, and thereafter have been physically present in the United States for at least one year.
- ☐ I am the husband, wife or minor unmarried child of a Cuban described above in (e) and I am residing with that person, and was admitted or paroled into the United States after January 1, 1959, and thereafter have been physically present in the United States for at least one year.
- ☐ I have continuously resided in the United States since before January 1, 1972.
- ☒ Other basis of eligibility. Explain. If additional space is needed, use a separate piece of paper.

I-140 & I-485 concurrent filing

I am already a permanent resident and am applying to have the date I was granted permanent residence adjusted to the date I originally arrived in the United States as a nonimmigrant or parolee, or as of May 2, 1964, whichever date is later, and: (Check one.)

- ☐ I am a native or citizen of Cuba and meet the description in (e) above.
- ☐ I am the husband, wife or minor unmarried child of a Cuban, and meet the description in (f) above.

**For USCIS Use Only**

Returned	Receipt
Resubmitted	
Reloc Sent	
Reloc Rec'd	
Applicant Interviewed	

**Section of Law**

- ☐ Sec. 209(b), INA  
☐ Sec. 13, Act of 9/11/57  
☐ Sec. 245, INA  
☐ Sec. 249, INA  
☐ Sec. 1 Act of 11/2/66  
☐ Sec. 2 Act of 11/2/66  
☐ Other

**Country Chargeable**

**Eligibility Under Sec. 245**

- ☐ Approved Visa Petition  
☐ Dependent of Principal Alien  
☐ Special Immigrant  
☐ Other

**Preference**

**Action Block**

To be Completed by Attorney or Representative, if any	
<input type="checkbox"/> Fill in box if G-28 is attached to represent the applicant.	
VOLAG #	
ATTY State License #	



**Part 3. Processing information.**

A. City/Town/Village of Birth <u>Tehran</u>		Current Occupation <u>Member of Technical Staff (Engineer)</u>	
Your Mother's First Name <u>Latifeh</u>		Your Father's First Name <u>Kazem</u>	
Give your name exactly as it appears on your Arrival/Departure Record (Form I-94) <u>Amir Ajami</u>			
Place of Last Entry Into the United States (City/State) <u>Los Angeles, CA</u>		In what status did you last enter? (Visitor, student, exchange alien, crewman, temporary worker, without inspection, etc.) <u>F-1</u>	
Were you inspected by a U.S. Immigration Officer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Nonimmigrant Visa Number <u>41741058</u>		Consulate Where Visa Was Issued <u>Tijuana</u>	
Date Visa Was Issued (mm/dd/yyyy) <u>06/11/2001</u>	Gender: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Marital Status: <input type="checkbox"/> Married <input checked="" type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed	
Have you ever before applied for permanent resident status in the U.S.? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. If you checked "Yes," give date and place of filing and final disposition.			

I-485 (WAC-05-224-50002; A#99-044-383) - request to withdraw application with USCIS sent 10/05/06. (Please see attached)

**B. List your present husband/wife, all of your sons and daughters (If you have none, write "none." If additional space is needed, use separate paper).**

Family Name <u>None</u>	Given Name	Middle Initial	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A #	Applying with you? <input type="checkbox"/> Yes <input type="checkbox"/> No
Family Name	Given Name	Middle Initial	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A #	Applying with you? <input type="checkbox"/> Yes <input type="checkbox"/> No
Family Name	Given Name	Middle Initial	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A #	Applying with you? <input type="checkbox"/> Yes <input type="checkbox"/> No
Family Name	Given Name	Middle Initial	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A #	Applying with you? <input type="checkbox"/> Yes <input type="checkbox"/> No
Family Name	Given Name	Middle Initial	Date of Birth (mm/dd/yyyy)
Country of Birth	Relationship	A #	Applying with you? <input type="checkbox"/> Yes <input type="checkbox"/> No

**C. List your present and past membership in or affiliation with every organization, association, fund, foundation, party, club, society or similar group in the United States or in other places since your 16th birthday. Include any foreign military service in this part. If none, write "none." Include the name(s) of organization(s), location(s), dates of membership, from and to, and the nature of the organization(s). If additional space is needed, use a separate piece of paper.**

Please see attached sworn declaration.

**Part 3. Processing information. (Continued)**

Please answer the following questions. (If your answer is "Yes" on any one of these questions, explain on a separate piece of paper. Answering "Yes" does not necessarily mean that you are not entitled to adjust status or register for permanent residence.)

1. Have you ever, in or outside the United States:
  - a. knowingly committed any crime of moral turpitude or a drug-related offense for which you have not been arrested? ☐ Yes ☒ No
  - b. been arrested, cited, charged, indicted, fined or imprisoned for breaking or violating any law or ordinance, excluding traffic violations? ☐ Yes ☒ No
  - c. been the beneficiary of a pardon, amnesty, rehabilitation decree, other act of clemency or similar action? ☐ Yes ☒ No
  - d. exercised diplomatic immunity to avoid prosecution for a criminal offense in the United States? ☐ Yes ☒ No
2. Have you received public assistance in the United States from any source, including the United States government or any state, county, city or municipality (other than emergency medical treatment), or are you likely to receive public assistance in the future? ☐ Yes ☒ No
3. Have you ever:
  - a. within the past ten years been a prostitute or procured anyone for prostitution, or intend to engage in such activities in the future? ☐ Yes ☒ No
  - b. engaged in any unlawful commercialized vice, including, but not limited to, illegal gambling? ☐ Yes ☒ No
  - c. knowingly encouraged, induced, assisted, abetted or aided any alien to try to enter the United States illegally? ☐ Yes ☒ No
  - d. illicitly trafficked in any controlled substance, or knowingly assisted, abetted or colluded in the illicit trafficking of any controlled substance? ☐ Yes ☒ No
4. Have you ever engaged in, conspired to engage in, or do you intend to engage in, or have you ever solicited membership or funds for, or have you through any means ever assisted or provided any type of material support to any person or organization that has ever engaged or conspired to engage in sabotage, kidnapping, political assassination, hijacking or any other form of terrorist activity? ☐ Yes ☒ No
5. Do you intend to engage in the United States in:
  - a. espionage? ☐ Yes ☒ No
  - b. any activity a purpose of which is opposition to, or the control or overthrow of, the government of the United States, by force, violence or other unlawful means? ☐ Yes ☒ No
  - c. any activity to violate or evade any law prohibiting the export from the United States of goods, technology or sensitive information? ☐ Yes ☒ No
6. Have you ever been a member of, or in any way affiliated with, the Communist Party or any other totalitarian party? ☐ Yes ☒ No
7. Did you, during the period from March 23, 1933 to May 8, 1945, in association with either the Nazi Government of Germany or any organization or government associated or allied with the Nazi Government of Germany, ever order, incite, assist or otherwise participate in the persecution of any person because of race, religion, national origin or political opinion? ☐ Yes ☒ No
8. Have you ever engaged in genocide, or otherwise ordered, incited, assisted or otherwise participated in the killing of any person because of race, religion, nationality, ethnic origin or political opinion? ☐ Yes ☒ No
9. Have you ever been deported from the United States, or removed from the United States at government expense, excluded within the past year, or are you now in exclusion, deportation, removal or rescission proceedings? ☐ Yes ☒ No
10. Are you under a final order of civil penalty for violating section 274C of the Immigration and Nationality Act for use of fraudulent documents or have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States or any immigration benefit? ☐ Yes ☒ No
11. Have you ever left the United States to avoid being drafted into the U.S. Armed Forces? ☐ Yes ☒ No
12. Have you ever been a J nonimmigrant exchange visitor who was subject to the two-year foreign residence requirement and have not yet complied with that requirement or obtained a waiver? ☐ Yes ☒ No
13. Are you now withholding custody of a U.S. citizen child outside the United States from a person granted custody of the child? ☐ Yes ☒ No
14. Do you plan to practice polygamy in the United States? ☐ Yes ☒ No

**Part 4. Signature.** *(Read the information on penalties in the instructions before completing this section. You must file this application while in the United States.)*

**Your registration with U.S. Citizenship and Immigration Services.**

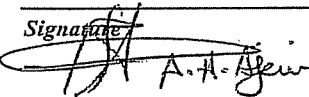
"I understand and acknowledge that, under section 262 of the Immigration and Nationality Act (Act), as an alien who has been or will be in the United States for more than 30 days, I am required to register with U.S. Citizenship and Immigration Services. I understand and acknowledge that, under section 265 of the Act, I am required to provide USCIS with my current address and written notice of any change of address within ten days of the change. I understand and acknowledge that USCIS will use the most recent address that I provide to USCIS, on any form containing these acknowledgements, for all purposes, including the service of a Notice to Appear should it be necessary for USCIS to initiate removal proceedings against me. I understand and acknowledge that if I change my address without providing written notice to USCIS, I will be held responsible for any communications sent to me at the most recent address that I provided to USCIS. I further understand and acknowledge that, if removal proceedings are initiated against me and I fail to attend any hearing, including an initial hearing based on service of the Notice to Appear at the most recent address that I provided to USCIS or as otherwise provided by law, I may be ordered removed in my absence, arrested and removed from the United States."

**Selective Service Registration.**

The following applies to you if you are a male at least 18 years old, but not yet 26 years old, who is required to register with the Selective Service System: "I understand that my filing this adjustment of status application with U.S. Citizenship and Immigration Services authorizes USCIS to provide certain registration information to the Selective Service System in accordance with the Military Selective Service Act. Upon USCIS acceptance of my application, I authorize USCIS to transmit to the Selective Service System my name, current address, Social Security Number, date of birth and the date I filed the application for the purpose of recording my Selective Service registration as of the filing date. If, however, USCIS does not accept my application, I further understand that, if so required, I am responsible for registering with the Selective Service by other means, provided I have not yet reached age 26."

**Applicant's Certification.**

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it is all true and correct. I authorize the release of any information from my records that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.

<i>Signature</i>	<i>Print Your Name</i>	<i>Date</i>	<i>Daytime Phone Number</i>
	Amir Hooshang Ajami	10/26/06	213-880-5184

**NOTE:** If you do not completely fill out this form or fail to submit required documents listed in the instructions, you may not be found eligible for the requested document and this application may be denied.

**Part 5. Signature of person preparing form, if other than above. (sign below)**

I declare that I prepared this application at the request of the above person and it is based on all information of which I have knowledge.

<i>Signature</i>	<i>Print Your Full Name</i>	<i>Date</i>	<i>Phone Number (Include Area Code)</i>
------------------	-----------------------------	-------------	---

<i>Firm Name and Address</i>	<i>E-Mail Address (if any)</i>
----------------------------------	--------------------------------

Prepared by Law Office of Barbara C.Y. Laam  
2350 Mission College Boulevard, Suite 475, Santa Clara, CA 95054

UNITED STATES OF AMERICA

**ASC Appointment Notice**

CASE TYPE:  
1485 Application to Register Permanent Resident or Adjust Status

APPLICATION NUMBER  
SRC0704053996

NOTICE DATE  
12/5/2006

SOCIAL SECURITY NUMBER

USCIS A#

CODE

TCR

A099044383  
SERVICE CENTER  
TSC

2  
PAGE  
1 of 1

AMIR HOOSHANG AJAMI  
1257 LAKESIDE DR 3229  
SUNNYVALE, CA 94085

BIOMETRICS PROCESSING STAMP

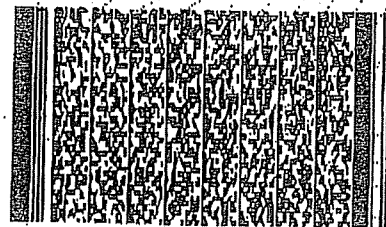
ASC SITE CODE: XTE/SAN JOSE

BIOMETRICS QA REVIEW BY:

ON DEC 19 2006

TENPRINTS QA REVIEW BY:

ON



To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.

**PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.  
IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.**

**APPLICATION SUPPORT CENTER**

USCIS SAN JOSE  
122 CHARCOT AVE.  
SAN JOSE, CA 95131

**DATE AND TIME OF APPOINTMENT**

12/19/2006  
11:00 AM

**WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:**

1. **THIS APPOINTMENT NOTICE** and
2. **PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

**REQUEST FOR RESCHEDULING**

Please reschedule my appointment for the next available: ☐ Wednesday afternoon ☐ Saturday afternoon.

U. S. Citizenship & Immigration Services (USCIS) cannot guarantee the day preferred, but will do so to the extent possible. Upon receipt of your request, you will be provided a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to: USCIS SAN JOSE, 122 CHARCOT AVE., SAN JOSE, CA 95131

APPLICATION NUMBER 1

1485 SRC0704053996



If you have any questions regarding this notice, please call 1-800-375-5283.

**WARNING!**

Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.

If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.



## Case Status Search

Receipt Number: src0704053996

Application Type: I485, APPLICATION TO REGISTER PERMANENT RESIDENCE OR TO ADJUST STATUS

Current Status:

Case received and pending.

On November 29, 2006, we received this I485 APPLICATION TO REGISTER PERMANENT RESIDENCE OR TO ADJUST STATUS, and mailed you a notice describing how we will process your case. Please follow any instructions on this notice. We will notify you by mail when we make a decision or if we need something from you. If you move while this case is pending, call customer service. We process cases in the order we receive them. You can use our processing dates to estimate when yours will be done. This case is at our TEXAS SERVICE CENTER location. Follow the link below to check processing dates. You can also receive automatic e-mail updates as we process your case. Just follow the link below to register.

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If you have a question about case status information provided via this site, or if you have not received a decision from USCIS within the current processing time listed, please contact the USCIS Customer Service at (800) 375 5283 or 1-800-767-1833 (TTY).



## I-131, Application for Travel Document

**FOR USCIS USE ONLY** (except G-28 block below)

**Part 1. Information about you.** *(Please type or print in black ink.)***Part 2. Application type (check one).**

- INITIAL RECEIPT \_\_\_\_\_ RESUBMITTED \_\_\_\_\_ RELOCATED: Rec'd. \_\_\_\_\_ Sent \_\_\_\_\_ COMPLETED: Appv'd. \_\_\_\_\_ Denied \_\_\_\_\_ Ret'd. \_\_\_\_\_

EXHIBIT G

**Part 3. Processing information.**

1. Date of Intended Departure (mm/dd/yyyy)

ASAP

2. Expected Length of Trip

Various Short Trips

3. Are you, or any person included in this application, now in exclusion, deportation, removal or recission proceedings?

☒ No☐ Yes (Name of DHS office):**If you are applying for an Advance Parole Document, skip to Part 7.**

4. Have you ever before been issued a reentry permit or refugee travel for the last document issued to you):

☐ No☐ Yes (Give the following information

Date Issued (mm/dd/yyyy):

Disposition (attached, lost, etc.):

5. Where do you want this travel document sent? (Check one)

a. ☐ To the U.S. address shown in Part 1 on the first page of this form.b. ☐ To an American embassy or consulate at:

City:

Country:

c. ☐ To a DHS office overseas at:

City:

Country:

d. If you checked "b" or "c", where should the notice to pick up the travel document be sent?

☐ To the address shown in Part 2 on the first page of this form.☐ To the address shown below:

Address (Number and Street)

Apt. #

Daytime Telephone # (area/country code)

City

State or Province

Zip/Postal Code

Country

**Part 4. Information about your proposed travel.**

Purpose of trip. If you need more room, continue on a separate sheet(s) of paper.

List the countries you intend to visit.

**Part 5. Complete only if applying for a reentry permit.**

Since becoming a permanent resident of the United States (or during the past five years, whichever is less) how much total time have you spent outside the United States?

☐ less than six months☐ six months to one year☐ one to two years☐ two to three years☐ three to four years☐ more than four years

Since you became a permanent resident of the United States, have you ever filed a federal income tax return as a nonresident, or failed to file a federal income tax return because you considered yourself to be a nonresident? (If "Yes," give details on a separate sheet(s) of paper.)

☐ Yes☐ No**Part 6. Complete only if applying for a refugee travel document.**

1. Country from which you are a refugee or asylee:

**If you answer "Yes" to any of the following questions, you must explain on a separate sheet(s) of paper.**

2. Do you plan to travel to the above named country?

☐ Yes☐ No

3. Since you were accorded refugee/asylee status, have you ever:

a. returned to the above named country?

☐ Yes☐ No

b. applied for and/or obtained a national passport, passport renewal or entry permit of that country?

☐ Yes☐ No

c. applied for and/or received any benefit from such country (for example, health insurance benefits).

☐ Yes☐ No

4. Since you were accorded refugee/asylee status, have you, by any legal procedure or voluntary act:

a. reacquired the nationality of the above named country?

☐ Yes☐ No

b. acquired a new nationality?

☐ Yes☐ No

c. been granted refugee or asylee status in any other country?

☐ Yes☐ No

**Part 7. Complete only if applying for advance parole.**

On a separate sheet(s) of paper, please explain how you qualify for an advance parole document and what circumstances warrant issuance of advance parole. Include copies of any documents you wish considered. *(See instructions.)*

1. For how many trips do you intend to use this document? ☐ One trip ☒ More than one trip
2. If the person intended to receive an advance parole document is outside the United States, provide the location (city and country) of the American embassy or consulate or the DHS overseas office that you want us to notify.

City  Country

3. If the travel document will be delivered to an overseas office, where should the notice to pick up the document be sent:

- ☐ To the address shown in **Part 2** on the first page of this form.
- ☐ To the address shown below:

Address (Number and Street)  Apt. #  Daytime Telephone # (area/country code)

City  State or Province  Zip/Postal Code  Country

**Part 8. Signature.** *Read the information on penalties in the instructions before completing this section. If you are filing for a reentry permit or refugee travel document, you must be in the United States to file this application.*

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it are all true and correct. I authorize the release of any information from my records that the U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking.

Signature  Date (mm/dd/yyyy)  Daytime Telephone Number (with area code)

*Please Note: If you do not completely fill out this form or fail to submit required documents listed in the instructions, you may not be found eligible for the requested document and this application may be denied.*

**Part 9. Signature of person preparing form, if other than the applicant. (Sign below.)**

I declare that I prepared this application at the request of the applicant and it is based on all information of which I have knowledge.

Signature  Print or Type Your Name

Firm Name and Address  Daytime Telephone Number (with area code)

Fax Number (if any)  Date (mm/dd/yyyy)

## Case Status Search

Receipt Number: src0704054062

Application Type: I131, APPLICATION FOR USCIS TRAVEL DOCUMENT

Current Status:

Case received and pending.

On November 29, 2006, we received this I131 APPLICATION FOR USCIS TRAVEL DOCUMENT, and mailed you a notice describing how we will process your case. Please follow any instructions on this notice. We will notify you by mail when we make a decision or if we need something from you. If you move while this case is pending, call customer service. We process cases in the order we receive them. You can use our processing dates to estimate when yours will be done. This case is at our TEXAS SERVICE CENTER location. Follow the link below to check processing dates. You can also receive automatic e-mail updates as we process your case. Just follow the link below to register.

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If you have a question about case status information provided via this site, or if you have not received a decision from USCIS within the current processing time listed, please contact the USCIS Customer Service at (800) 375 5283 or 1-800-767-1833 (TTY).

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**I-765, Application for  
Employment Authorization**

**Do not write in this block.**

Remarks	Action Block	Fee Stamp
A#		
Applicant is filing under §274a.12 _____		
<input type="checkbox"/> Application Approved. Employment Authorized / Extended (Circle One) until _____ (Date). Subject to the following conditions: _____ (Date). <input type="checkbox"/> Application Denied. <input type="checkbox"/> Failed to establish eligibility under 8 CFR 274a.12 (a) or (c). <input type="checkbox"/> Failed to establish economic necessity as required in 8 CFR 274a.12(c)(14), (18) and 8 CFR 214.2(f)		

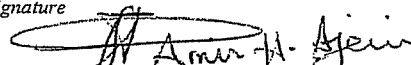
I am applying for:

☒ Permission to accept employment.  
☐ Replacement of lost Employment Authorization Document.  
☐ Renewal of my permission to accept employment (attach previous Employment Authorization Document).

1. Name (Family Name in CAPS) (First) (Middle) (Last) AJAMI Amir Hooshang	11. Have you ever before applied for employment authorization from USCIS? <input checked="" type="checkbox"/> Yes (If yes, complete below) <input type="checkbox"/> No Which USCIS Office? _____ Date(s) _____ CSC 08/08/2005 Results (Granted or Denied - attach all documentation) Neither Denied nor Granted (WAC-05-224-50012)
2. Other Names Used (Include Maiden Name)	12. Date of Last Entry into the U.S. (mm/dd/yyyy) 06/15/2001
3. Address in the United States (Number and Street) (Apt. Number) 1257 Lakeside Drive 3229 (Town or City) (State/Country) (ZIP Code) Sunnyvale CA USA 94085	13. Place of Last Entry into the U.S. Los Angeles, CA
4. Country of Citizenship/Nationality Iran	14. Manner of Last Entry (Visitor, Student, etc.) F-1
5. Place of Birth (Town or City) (State/Province) (Country) Tehran Tehran Iran	15. Current Immigration Status (Visitor, Student, etc.) H-1B
6. Date of Birth (mm/dd/yyyy) 07/27/1969	16. Go to Part 2 of the Instructions, Eligibility Categories. In the space below place the letter and number of the category you selected from the instructions. (For example, (a)(8); (c)(17)(iii); etc.)  Eligibility under 8 CFR 274a.12 ( c ) ( 9 ) ( ) ( )
7. Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
8. Marital Status <input type="checkbox"/> Married <input checked="" type="checkbox"/> Single <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced	
9. U.S. Social Security Number (Include all numbers you have ever used, if any) 616-94-7519	
10. Alien Registration Number (A-Number) or I-94 Number (if any) A99-044-383 ; I-94: 166610483 06	

**Certification.**

**Your Certification:** I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking. I have read the Instructions in Part 2 and have identified the appropriate eligibility category in Block 16.

Signature  Telephone Number 213-880-5184 Date 10/26/06

**Signature of person preparing form, if other than above:** I declare that this document was prepared by me at the request of the applicant and is based on all information of which I have any knowledge.

Print Name Address Signature Date  
Prepared by Law Office of Barbara C.Y. Laam 2350 Mission College Boulevard, Suite 475 Santa Clara, CA 95054

Remarks	Initial Receipt	Resubmitted	Relocated					Completed	
			Rec'd	Sent	Approved	Denied	Returned		



## Case Status Search

Receipt Number: SRC0704054049

Application Type: I765, APPLICATION FOR EMPLOYMENT AUTHORIZATION

Current Status:

Case received and pending.

On November 29, 2006, we received this I765 APPLICATION FOR EMPLOYMENT AUTHORIZATION, and mailed you a notice describing how we will process your case. Please follow any instructions on this notice. We will notify you by mail when we make a decision or if we need something from you. If you move while this case is pending, call customer service. We process cases in the order we receive them. You can use our processing dates to estimate when yours will be done. This case is at our TEXAS SERVICE CENTER location. Follow the link below to check processing dates. You can also receive automatic e-mail updates as we process your case. Just follow the link below to register.

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If you have a question about case status information provided via this site, or if you have not received a decision from USCIS within the current processing time listed, please contact the USCIS Customer Service at (800) 375 5283 or 1-800-767-1833 (TTY).

U.S. Department of Homeland Security  
California Service Center  
P.O. Box 30111  
Laguna Niguel, CA 92607-0111



**U.S. Citizenship  
and Immigration  
Services**

Friday, July 14, 2006

AMIR AJAMI  
1257 LAKESIDE DR.  
APT.3229  
SUNNYVALE CA 94085

Dear AMIR AJAMI:

On 06/29/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

<b>Caller indicated they are:</b>	The applicant
<b>Attorney Name:</b>	Information not available
<b>Case type:</b>	I485
<b>Filing date:</b>	Information not available
<b>Receipt #:</b>	WAC-05-224-50002
<b>Beneficiary (if you filed for someone else):</b>	AJAMI, AMIR
<b>Your USCIS Account Number (A-number):</b>	Information not available
<b>Type of service requested:</b>	Non-delivery

The status of this service request is:

WAC-05-224-50002

The processing of your case has been delayed. A check of our records establishes that your case is not yet ready for decision, as the required investigation into your background remains open.

Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. We will make every effort to make a decision on this case as soon as the background checks are complete. If you do not receive a decision or other notice of action from us within 6 months of this letter, please contact us by calling our customer service number provided below.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Department of Homeland Security  
California Service Center  
P.O. Box 30111  
Laguna Niguel, CA 92607-0111



**U.S. Citizenship  
and Immigration  
Services**

Tuesday, November 7, 2006

AMIR AJAMI  
1257 LAKESIDE DRIVE  
APT 3229  
SUNNYVILLE CA 94085

Dear Amir Ajami:

On 10/03/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

<b>Person who contacted us:</b>	Allm, Barbara
<b>Caller indicated they are:</b>	An attorney
<b>Attorney Name:</b>	Barbara Allm
<b>Case type:</b>	I140
<b>Filing date:</b>	Information not available
<b>Receipt #:</b>	wac-05-224-50018
<b>Beneficiary (if you filed for someone else):</b>	Ajami, Amir
<b>Your USCIS Account Number (A-number):</b>	Information not available
<b>Type of service requested:</b>	Case Status - Outside Processing Time

The status of this service request is:

Your case is still pending for review and undergoing system checks. You will be notified by mail once a decision has been made on your case.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services  
cc: Barbara Allm

WASHINGTON OFFICE  
205 CANNON BUILDING  
WASHINGTON, DC 20515-0514  
(202) 225-8104  
FAX (202) 225-8890

DISTRICT OFFICE  
598 EMERSON STREET  
PALO ALTO, CA 94301-1609  
(650) 523-2884  
(408) 245-2339  
(831) 335-2020  
FAX (650) 323-3498

<http://eshoo.house.gov>

Anna G. Eshoo  
14th District, California

Congress of the United States  
House of Representatives  
Washington, DC 20515-0514

COMMITTEE ON ENERGY AND COMMERCE

SUBCOMMITTEES:  
TELECOMMUNICATIONS AND THE INTERNET  
HEALTH

PERMANENT SELECT COMMITTEE ON  
INTELLIGENCE

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INTELLIGENCE POLICY AND NATIONAL  
SECURITY, RANKING MEMBER  
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WHIP AT LARGE

CO-CHAIR  
E-911 CAUCUS

CO-CHAIR  
MEDICAL TECHNOLOGY CAUCUS

VICE-CHAIR  
DEMOCRATIC BUDGET GROUP

March 28, 2007

Mr. Amir Ajami  
1257 Lakeside Drive, Apartment 3229  
Sunnyvale, California 94085

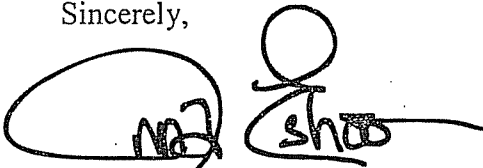
Dear Mr. Ajami,

I write to follow up with you regarding your case.

The FBI notified me that your Name Check is still actively being reviewed. Once completed, they will notify the CIS so that a decision can be made on your case. I've asked the CIS to adjudicate your application as expeditiously as possible and notify you directly of their decision.

I hope this information is helpful to you and thank you again for the opportunity to be of assistance. Enclosed is information on security checks that I thought might be of interest to you.

Sincerely,



Anna G. Eshoo  
Member of Congress

Enclosure

U.S. Department of Homeland Security  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

HQCIS 181/48.2-C

Mr. Amir H. Ajami  
Apartment 3229  
1257 Lakeside Drive  
Sunnyvale, CA 94085

AUG 03 2007

Dear Mr. Ajami:

Thank you for your letter dated April 16, 2007, to the U.S. Citizenship and Immigration Services Ombudsman (CISO). Your letter concerning your immigration status was assigned case # 668889 and forwarded to the Customer Assistance Office for a response.

We understand the concern, which has caused you to write. There has been a delay in the processing of the I-140, Petition for Alien Worker, filed on your behalf by your employer, as well as your Forms I-485, Application to Register Permanent Residence or Adjust Status, I-765, Application for Employment Authorization, and I-131, Application for Travel Document.

We regret the length of time it has taken to process your applications and the visa petition. A search of our records reflect that the processing of your case has been delayed because the required Agency review is still in progress. Until the required Agency review is completed, we cannot move forward on your case.

Please understand that the required Agency review is part of the process in adjudicating cases of similar nature. While an exact date for completion of your background check cannot be given at this time, we will make every effort to make a decision on this case as soon as the background checks are complete.



Mr. Amir H. Ajami

Page 2

We appreciate your continued patience. If you need additional assistance and/or filing instructions, we invite you to contact the USCIS National Customer Service Center at 1-800-375-5283 or visit our web site at [www.uscis.gov](http://www.uscis.gov).

Sincerely,



Constance L. Carter, Supervisor  
Customer Assistance Office  
U.S. Citizenship and Immigration Services  
U.S. Department of Homeland Security

Enclosure: Fact Sheet, Immigration Security Checks- How and Why the Process Works  
USCIS Update, USCIS Clarifies Criteria To Expedite FBI Name Check



Name: **Amir H Ajami**

Appointment Speak to immigration officer

Type:

Confirmation SNJ-07-10315

No.:

Appointment Date: **April 20, 2007**

Authentication 1773b

Code:

Appointment Time: **9:45 AM**

Location: 1887 MONTEREY ROAD, San Jose, CA 95112; LOBBY

**This is your Confirmation  
Number:**



**If you wish to cancel this appointment, you will need the  
following Personal Identification Number:  
02118**

Please be on time. Failure to show up on time will result in the cancellation of your appointment. You will then need to reschedule your appointment. You will not be admitted more than 15 minutes before your scheduled appointment time.

- You must appear in person and bring photo identification along with this appointment letter.
- Acceptable forms of identification are any of the following: Government issued identification, passport, valid driver's license, I-94, Work Authorization Card, or Permanent Resident Card. (Green Card)
- In order to serve you more efficiently, we require you to bring all applicable immigration forms, letters, receipts, translations and originals of supporting documents.
- NOTE: Cell phones that have camera features are not permitted in the building. Food and drinks are not permitted in the waiting room. In order to facilitate easy and swift entrance, you are advised to keep handbags and metal objects to a minimum by leaving such items at home or with a person who will remain outside the building.

U.S. Department of Homeland Security  
Texas Service Center  
P.O. Box 851488  
Mesquite, TX 75185-1488



**U.S. Citizenship  
and Immigration  
Services**

Friday, May 25, 2007

AMIR AJAMI  
1257 LAKESIDE DR 3229  
SUNNYVALE CA 94085

Dear amir ajami:

On 05/07/2007 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

<b>Caller indicated they are:</b>	The applicant
<b>Attorney Name:</b>	Information not available
<b>Case type:</b>	I485
<b>Filing date:</b>	10/30/2006
<b>Receipt #:</b>	SRC-07-040-53996
<b>Beneficiary (if you filed for someone else):</b>	ajami, amir
<b>Your USCIS Account Number (A-number):</b>	A099044383
<b>Type of service requested:</b>	Other

The status of this service request is:

The processing of your case has been delayed. A check of our records establishes that your case is not yet ready for decision, as the required investigation into your background remains open.

Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. We will make every effort to make a decision on this case as soon as the background checks are complete. If you do not receive a decision or other notice of action from us within 6 months of this letter, please contact us by calling our customer service number provided below.

207

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services



**Name: Amir H Ajami**

**Appointment Speak to immigration officer**

**Type:**

**Confirmation SNJ-07-13191**

**No.:**

**Appointment Date: May 21, 2007**

**Authentication 1773b**

**Code:**

**Appointment Time: 2:30 PM**

**Location: 1887 MONTEREY ROAD, San Jose, CA 95112; LOBBY**

**This is your Confirmation  
Number:**



**If you wish to cancel this appointment, you will need the  
following Personal Identification Number:  
79075**

**Please be on time. Failure to show up on time will result in the cancellation of your appointment. You will then need to reschedule your appointment. You will not be admitted more than 15 minutes before your scheduled appointment time.**

- **You must appear in person and bring photo identification along with this appointment letter.**
- **Acceptable forms of identification are any of the following: Government issued identification, passport, valid driver's license, I-94, Work Authorization Card, or Permanent Resident Card. (Green Card)**
- **In order to serve you more efficiently, we require you to bring all applicable immigration forms, letters, receipts, translations and originals of supporting documents.**
- **NOTE: Cell phones that have camera features are not permitted in the building. Food and drinks are not permitted in the waiting room. In order to facilitate easy and swift entrance, you are advised to keep handbags and metal objects to a minimum by leaving such items at home or with a person who will remain outside the building.**

WASHINGTON OFFICE  
205 CANNON BUILDING  
WASHINGTON, DC 20515-0514  
(202) 225-8104  
FAX (202) 225-8890

DISTRICT OFFICE  
698 EMERSON STREET  
PALO ALTO, CA 94301-1609  
(650) 323-2984  
(408) 245-2339  
(831) 335-2020  
FAX (650) 323-3498

<http://eshoo.house.gov>

**Anna G. Eshoo**  
14th District, California

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-0514

COMMITTEE ON ENERGY AND COMMERCE

SUBCOMMITTEES:

TELECOMMUNICATIONS AND THE INTERNET

HEALTH

PERMANENT SELECT COMMITTEE ON  
INTELLIGENCE

SUBCOMMITTEES:

INTELLIGENCE COMMUNITY MANAGEMENT

June 10, 2007

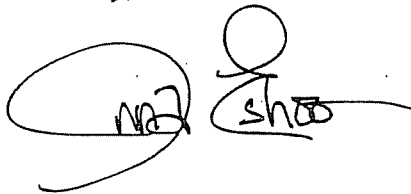
Mr. Amir Ajami  
1257 Lakeside Drive, Apartment 3229  
Sunnyvale, California 94085

Dear Mr. Ajami,

The Texas Service Center responded to my inquiry on your behalf to let me know that your case is still pending the necessary security checks. As soon as they are completed, they will continue adjudication of your case and notify you directly once a decision is made.

I hope this information is helpful to you and thank you again for the opportunity to be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Eshoo', with a large, stylized loop at the beginning.

Anna G. Eshoo  
Member of Congress

AGE:pk





U.S. Citizenship  
and Immigration  
Services

HQCIS 181/48.2.1-C

JUL 17 2007

Mr. Amir H. Ajami  
Apartment 3229  
1257 Lakeside Drive  
Sunnyvale, CA 94085

Dear Mr. Ajami:

Thank you for your letter dated June 15, 2007, to Vice President Cheney. Your letter concerning your immigration status was forwarded to the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) for a response and assigned case #695122.

After careful review of the concerns expressed in your letter and with the information you provided, we have searched our system. We apologize for the extended delay in adjudication of your applications and appreciate your patience in this matter.

As you stated in your letter, the required background check on your applications has not been completed. Also, both applications were transferred to the Texas Service Center for further processing. Our records indicate that your applications are currently under review.

While an exact date for completion of your background checks cannot be given at this time, please be assured that the USCIS office handling your case will keep you informed on any actions taken on the applications.

Also, if you move and need to update your address, see the attached Form AR-11, with instructions on how to update your address with USCIS. You can also use our new On Line Change of Address feature by accessing the web page shown below.

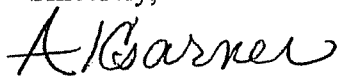
Mr. Amir H. Ajami

Page 2

To monitor the progress of your cases, you may check the status of a pending application, petition and/or receive automatic case status updates online by visiting our web site at [www.uscis.gov](http://www.uscis.gov), or contact the USCIS National Customer Service Center at 1-800-375-5283.

We trust that this information is helpful.

Sincerely,



*for* Constance L. Carter, Supervisor  
Customer Assistance Office  
U.S. Citizenship and Immigration Services  
U.S. Department of Homeland Security

VP238481

# United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

August 3, 2007

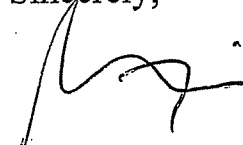
Mr. Amir H. Ajami  
1257 Lakeside Dr, Apartment 3229  
Sunnyvale, California 94085

Dear Mr. Ajami:

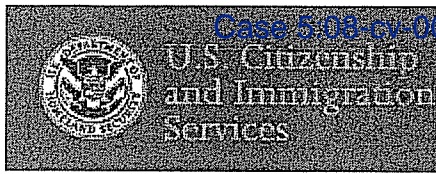
The Federal Bureau of Investigation has told me that your name check has been pending since August 22, 2005. The FBI requests that our office wait ninety days before making a follow up inquiry.

I hope that this information is helpful and that it will clarify the situation for you. If you have further questions, or if there is any way the Senator's office can help you in the future on other federal matters, I hope you will contact us again.

Sincerely,



Morgan Galli  
Constituent Services Representative

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## U.S. Citizenship and Immigration Services Texas Service Center Processing Dates Posted January 15, 2008

The processing times shown below are a tool for our customers to gauge our current processing times. When applications and petitions are completed within our target timeframes, that goal will be shown in the data display.

The processing times shown below are for applications that have just been completed. If you have just filed your application, these timeframes may not reflect how long your application will take to be completed. We encourage you to check this page periodically before inquiring about your case. The processing times are updated monthly.

USCIS has received a significant increase in the number of applications filed. In July and August, nearly 2.5 million applications and petitions of all types were received. This compares to 1.2 million applications and petitions received in the same time period last year. This fiscal year, we received 1.4 million applications for naturalization; nearly double the volume we received the year before. The agency is working to improve processes and focus increased resources, including hiring approximately 1,500 new employees, to address this workload.

As a result, average processing times for certain application types may be longer. In particular, naturalization applications filed after June 1, 2007 may take approximately 16-18 months to process.

We offer a variety of services after you file. For example, for most kinds of cases you can [check the status of your case online](#).

For more information about when and how to contact us, whether your case is outside our processing time or if there are other issues, please see our customer guide –

[Case Services - How do I... know what kind of services are available to me after I file my application or petition?](#)

Service Center Processing Dates for **Texas Service Center** Posted January 15, 2008

Form	Title	Classification or Basis for Filing	Processing Timeframe
I-90	Application to Replace Permanent Resident Card	Initial issuance or replacement	July 19, 2007
I-102	Application for Replacement/Initial Nonimmigrant Arrival/Departure Record	Initial issuance or replacement of a Form I-94	October 17, 2007
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Visa to be issued abroad	November 16, 2007
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Change of status in the U.S.	November 16, 2007
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Extension of stay in the U.S.	November 16, 2007
I-129	Petition for A Nonimmigrant Worker	H-2A - Temporary workers	December 31, 2007
I-129	Petition for A Nonimmigrant Worker	H-2B - Other temporary workers	December 16, 2007

EXHIBIT 5

I-129	Petition for A Nonimmigrant Worker	H-3 - Temporary trainees	November 16, 2007
I-129	Petition for A Nonimmigrant Worker	E - Treaty traders and investors	November 16, 2007
I-129	Petition for A Nonimmigrant Worker	L - Intracompany transfers	December 16, 2007
I-129	Petition for A Nonimmigrant Worker	Blanket L	November 16, 2007
I-129	Petition for A Nonimmigrant Worker	O - Extraordinary ability	November 16, 2007
I-129	Petition for A Nonimmigrant Worker	P - Athletes, artists, and entertainers	November 16, 2007
I-129	Petition for A Nonimmigrant Worker	Q - Cultural exchange visitors and exchange visitors participating in the Irish Peace process	November 16, 2007
I-129	Petition for A Nonimmigrant Worker	R - Religious occupation	November 16, 2007
I-129	Petition for A Nonimmigrant Worker	TN - North American Free Trade Agreement (NAFTA) professional	November 16, 2007
I-131	Application for Travel Document	All other applicants for advance parole	October 17, 2007
I-140	Immigrant Petition for Alien Worker	Extraordinary ability	June 21, 2007
I-140	Immigrant Petition for Alien Worker	Outstanding professor or researcher	June 21, 2007
I-140	Immigrant Petition for Alien Worker	Multinational executive or manager	June 21, 2007
I-140	Immigrant Petition for Alien Worker	Schedule A Nurses	June 21, 2007
I-140	Immigrant Petition for Alien Worker	Advanced degree or exceptional ability	June 21, 2007
I-140	Immigrant Petition for Alien Worker	Advanced degree or exceptional ability requesting a National Interest Waiver	June 21, 2007
I-140	Immigrant Petition for Alien Worker	Skilled worker or professional	June 21, 2007
I-140	Immigrant Petition for Alien Worker	Unskilled worker	June 21, 2007
I-360	Petition for Amerasian, Widow(er), or Special Immigrant	All other special immigrants	July 10, 2007
I-485	Application to Register Permanent Residence or to Adjust Status	Employment-based adjustment applications	May 24, 2007
I-485	Application to Register Permanent Residence or to Adjust Status	Based on grant of asylum more than 1 year ago	June 05, 2007
I-526	Immigrant Petition By Alien Entrepreneur	For use by an entrepreneur who wishes to immigrate to the United States	August 01, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change of status to H or L dependents	May 30, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change status to the F or M academic or vocational student categories	May 30, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change Status to the J exchange visitor category	May 30, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other change of status applications	May 30, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of stay for H and L dependents	May 30, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of Stay for F or M academic or vocational students	May 30, 2007



<b>I-539</b>	Application to Extend/Change Nonimmigrant Status	Extension of Stay for J exchange visitors	May 30, 2007
<b>I-539</b>	Application to Extend/Change Nonimmigrant Status	All other extension applications	May 30, 2007
<b>I-730</b>	Refugee/Asylee Relative Petition	Petition for accompanying family members of a refugee or an asylee	February 23, 2007
<b>I-751</b>	Petition to Remove the Conditions on Residence	Removal of lawful permanent resident conditions (spouses of U.S. citizens and lawful permanent residents)	April 19, 2007
<b>I-765</b>	Application for Employment Authorization	Based on a request by a qualified F-1 academic student. [(c)(3)]	October 30, 2007
<b>I-765</b>	Application for Employment Authorization	Based on a pending asylum application [(c)(8)]	December 16, 2007
<b>I-765</b>	Application for Employment Authorization	Based on a pending I-485 adjustment application [(c)(9)]	October 30, 2007
<b>I-765</b>	Application for Employment Authorization	Based on TPS for Honduras/Nicaragua [(c)(19), (a)(12)]	October 30, 2007
<b>I-765</b>	Application for Employment Authorization	Based on TPS for El Salvador [(c)(19)(a)(12)]	October 30, 2007
<b>I-765</b>	Application for Employment Authorization	All other applications for employment authorization	October 30, 2007
<b>I-817</b>	Application for Family Unity Benefits	Voluntary departure under the family unity program	July 19, 2007
<b>I-824</b>	Application for Action on an Approved Application or Petition	To request further action on an approved application or petition	July 19, 2007
<b>I-829</b>	Petition by Entrepreneur to Remove Conditions	Removal of lawful permanent resident conditions (immigrant investors)	July 19, 2007
<b>I-829</b>	Petition by Entrepreneur to Remove Conditions	Removal of lawful permanent resident conditions (immigrant investors) based on PL107-273	July 19, 2007

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[U.S. Department of Homeland Security](#)

## INS on Advance Parole

Subject: Advance Parole for Adjustment of Status Applicants Under Section 245; Issuance of Form I-512

Date: August 15, 1997

To: All Regional Directors

Attn: ROADN, ROCOU

All District Directors (Including Foreign)

Attn: EXM, INV, DDP, COU

All Officers in Charge (Including Foreign)

All Service Center Directors

Forensics Document Laboratory

All Chief Patrol Agents

Training Academies (Glynco and Artesia)

1. This memo reconfirms the general availability of advance parole for adjustment applicants as established in the Office of Programs memo dated April 20, 1995. See attachment.
2. Field offices shall approve an application for advance parole for any alien who has properly filed a valid application for adjustment of status and who is seeking to depart temporarily for any legitimate business or personal reason. Therefore, once Form I-485 has been reviewed for filing eligibility, the adjudicating officer should make no further inquiry into the reasons for travel except as might relate to possible illegality. This examination satisfies the statutory requirement of granting parole "only on a case-by-case basis." This policy applies only to those with adjustment applications pending before the Service and does not apply to applicants who are in removal proceedings.
3. Form I-512 parole authorization for adjustment applicants will generally be issued for a period which corresponds with the time normally required for completion of an adjustment application but not to exceed one year. These advance parole authorizations will be prepared with multiple entry validity.
4. As a guide on jurisdiction for accepting and adjudicating adjustment-applicant advance parole applications, see attached Form I-131 supplemental filing instructions which were published in the Federal Register on October 30, 1996.
5. The April 1995 memo's instructions continue with respect to the quality and consistency of Form I-512 documents. 6. The Office of Field Operations has concurred with this memo. Questions regarding advance parole for adjustment applicants may be directed through appropriate supervisory channels to HQBEN, Attn: Ron Chirlin, Adjudications Officer.

Paul W. Virtue

Executive Associate

Commissioner

Attachment:

EXHIBIT T

Operations Instruction 212.5(c) provides guidelines on issuance of advance parole, Form I-512, to applicants for adjustment of status under section 245 of the Immigration and Nationality Act. With the implementation of section 245(i) and the resultant increase in the number of applications for adjustment, the Service has deemed it to be in the public interest to revise its guidelines regarding issuance of Form I-512 to adjustment applicants. Pending a revision to the Operations Instruction, the following policy will be in effect. The policy applies only to those adjustment applications pending before the Service and does not apply to applicants who are in deportation proceedings.

An Application for advance parole may be approved for any alien who has properly filed an application for adjustment of status and who is seeking to depart temporarily for any bona fide business or personal reason.

Form I-512 for adjustment applicants will be issued valid for a period which coincides with the time normally required for completion of an adjustment application not to exceed one year. Advance parole authorizations will be valid for multiple entries.

Complaints from U.S. consular posts concerning the quality and consistency of Form I-512 documents have been increasing. To reduce instances where posts find it necessary to verify the authenticity of Form I-512 documents, issuing offices will take the following immediate actions:

Pending revision of the Form I-512, each office shall establish a consistent standard for issuing the form. All forms must include a facsimile of the district director's signature in security ink and the use of the Service seal or Burroughs machine overlay on the photograph. Each issuing office shall forward a copy of the form as standardized to the Forensics Document Laboratory (FDL), Attention: Pete Riley, within 30 days from the issuance of this memorandum. Offices shall indicate the date they begin using the sample provided to the FDL.

Offices which change their standardized advance parole documents (e.g., due to a personnel change or equipment repair problem) must immediately prepare and forward new exemplars to the FDL.

This memorandum has the concurrence of the Office of Field Operations.

James A. Puleo  
Executive Associate Commissioner

April 20, 1995

PROOF OF SERVICE BY MAIL

I, Beth Feinberg, the undersigned, say:

I am over the age of eighteen years and not a party to the within action or proceedings; my business address is Van Der Hout, Brigagliano & Nightingale, LLP, 180 Sutter Street, Fifth Floor, San Francisco, CA 94104.

On February 5, 2008, I caused to be served the within:

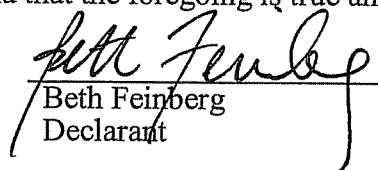
**Declaration of Beth Feinberg**

**in Support of Petition for Writ of Mandamus**

on the opposing counsel by depositing one copy thereof, enclosed in a sealed envelope with postage fully pre-paid, in a mailbox regularly maintained by the United States Postal Service at San Francisco, California, addressed as follows:

Civil Process Clerk  
Office of the United States Attorney  
Northern District of California  
450 Golden Gate Ave.  
Tenth Floor, Box 36055  
San Francisco, CA 94102

Executed on February 5, 2008, at San Francisco, California. I declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct.

  
Beth Feinberg  
Declarant